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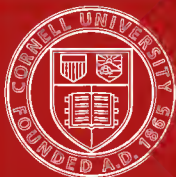
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On trial; a dramatic composition in four



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ON TRIAL

A Dramatic Composition in Four Acts

BY

ELMER L. REIZENSTEIN

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**CANDLER THEATRE, NEW YORK CITY,
AUGUST 19TH, 1914**

COHAN & HARRIS PRESENT
(By arrangement with Arthur Hopkins)

ON TRIAL

A PLAY IN THREE ACTS

By
ELMER L. REIZENSTEIN

Staged Under the Direction of Sam Forrest

ON TRIAL

ORIGINAL CAST OF CHARACTERS

THE DEFENDANT	<i>Frederick Perry</i>
HIS DAUGHTER	<i>Constance Wolf</i>
HIS WIFE.....	<i>Mary Ryan</i>
HER FATHER (Deceased).....	<i>Thomas Findlay</i>
THE DEAD MAN.....	<i>Frederick Truesdell</i>
HIS WIDOW.....	<i>Helene Lackaye</i>
HIS SECRETARY.....	<i>Hans Robert</i>
A NEWS AGENT.....	<i>J. Wallace Clinton</i>
A HOTEL PROPRIETOR.....	<i>Lawrence Eddinger</i>
A PHYSICIAN.....	<i>George Barr</i>
A MAID.....	<i>Florence Walcott</i>
A WAITER.....	<i>John Adams</i>
THE JUDGE.....	<i>Frank Young</i>
THE DISTRICT ATTORNEY.....	<i>William Walcott</i>
THE DEFENDANT'S COUNSEL.....	<i>Gardner Crane</i>
THE CLERK.....	<i>John Klendon</i>
THE COURT STENOGRAPHER.....	<i>J. M. Brooks</i>
THE COURT ATTENDANTS	<i>James Herbert and Charles Walt</i>

THE JURY

Foreman, Howard Wall

R. A. Thayer	Robert Dudley
Edmund Purdy	Harry Friend
Arthur Tobell	Nat Levitt
Samuel Reichner	J. H. Mathews
Anson Adams	Joseph McKenn

George Spivins

THE FIRST DAY OF THE TRIAL

PROLOGUE: The Court Room.

ACT I, *Scene 1*: The library in the home of Gerald Trask, June 24th, 1913, 9:30 P. M.

Scene 2: The court room.

ACT II, *Scene 1*: The court room.

Scene 2: The sitting room in the home of Robert Strickland, June 24th, 1913, 7:30 P. M.

Scene 3: The court room.

THE SECOND DAY OF THE TRIAL

ACT III, *Scene 1*: The court room.

Scene 2: A room in a hotel on Long Island, Thirteen years earlier.

Scene 3: The court room.

EPILOGUE: *Scene 1*: The jury room.

Scene 2: The court room.

It is important that the audience be seated before the rise of the curtain on each act.

Wait between Acts I and II *Five Minutes*

Wait between Acts II and III *Nine Minutes*.

Wait between Act III and Epilogue *Five Minutes*

ON TRIAL

PROLOGUE

SCENE: *Court room. JUDGE on bench, etc. Twelve men in the jury box.*

CLERK. Mr. Summers, take the vacant place in the jury box. (*Shuffling of feet*)

GRAY. What's your name?

SUMMERS. John Summers.

(*Ring up.*)

GRAY. Mr. Summers, what is your occupation?

SUMMERS. Electrical engineer.

GRAY. Are you in business for yourself?

SUMMERS. Yes, sir, at 1 Madison Avenue.

GRAY. Mr. Summers, are you opposed to capital punishment?

SUMMERS. No.

GRAY. Do you know Robert Strickland, the defendant in this case? Stand up, Strickland.

(*STRICKLAND rises, right arm in sling.*)

SUMMERS. No.

(*STRICKLAND resumes his seat.*)

GRAY. Do you know anyone related to him?

SUMMERS. No.

GRAY. Did you know Gerald Trask, for whose murder Strickland is on trial?

SUMMERS. No. I've often read the gentleman's name in the papers, but I never met him.

GRAY. Do you know Mrs. Trask, the widow of the murdered man?

SUMMERS. No.

GRAY. Do you know Stanley Glover, who was Mr. Trask's private secretary at the time of his death?

SUMMERS. (*Uncertain*) Glover? I'm not sure.

GRAY. Call Mr. Glover.

ATTENDANT. (*Opens door L.*) Stanley Glover.

(GLOVER *enters left.*)

GRAY. This is Mr. Glover.

SUMMERS. No; I don't know him.

GRAY. You may retire, Mr. Glover.

(GLOVER *exits left.*)

GRAY. Do you know anyone associated with the District Attorney's office, or Mr. Arbuckle, the defendant's attorney?

SUMMERS. No.

GRAY. Are you familiar with the facts in this case?

SUMMERS. Very slightly. I don't read details of murder cases!

GRAY. Have you formed any opinion which would prevent you from rendering a fair and impartial verdict?

SUMMERS. No, sir; I have not.

GRAY. That's all. Any questions, Mr. Arbuckle?

ARBUCKLE. (*Has been seated L. of table, rises*) Mr. Summers, are you a married man?

SUMMERS. Yes, sir ; I am.

ARBUCKLE. How many years have you been married?

SUMMERS. Fifteen, next March.

ARBUCKLE. Have you any family?

SUMMERS. I have. Two boys and a girl.

ARBUCKLE. The jury is satisfactory, Your Honor. (*Sits.*)

DINSMORE. Satisfactory to you, Mr. Gray?

GRAY. Yes, Your Honor.

DINSMORE. (*To the CLERK*) Swear them.

CLERK. (*To the JURORS*) Rise, gentlemen, and raise your right hands. (*They do so*) You and each of you do solemnly swear in the presence of the ever-living God, that you will well and truly try the indictment found by the people of the State of New York against Robert Strickland, and a true verdict rendered therein, according to the evidence, so help you God!

DINSMORE. Proceed, Mr. Gray.

GRAY. (*Addressing the jury*) May it please the Court: Gentlemen of the Jury, this case is a very simple one. The facts, as they have appeared from time to time in the newspapers, are no doubt familiar to all of you. In order to refresh your recollections, however, I shall outline very briefly the circumstances which we shall put into evidence. Mr. Gerald Trask, as you know, was a prominent banker of this city. He was a distinguished member of the community, and occupied important places in the social and financial worlds. Among Mr. Trask's acquaintances was Robert Strickland, the defendant. At the time they became acquainted Strickland was a rather prosperous business man, and he and Mr. Trask met frequently. Some months ago Strickland began to have business troubles. The cause of these difficulties does not concern us. But what does interest us, gentlemen, is that Strickland, becoming

more and more involved, found it necessary to go to his friend, Gerald Trask, for financial assistance. Mr. Trask responded with his habitual generosity, and promptly loaned Strickland ten thousand dollars, taking the latter's note as security. But Strickland's business didn't improve, and he decided to migrate to the West. The note was payable on the 22nd of June, two days before the murder. When the 22nd arrived, Strickland was in Cleveland, Ohio, making arrangements for himself and family. He returned, however, on the 24th, the night of the murder, sent for Mr. Trask, and took up the note. I call your attention to the fact, gentlemen, that Strickland paid the debt in cash. He was a business man. (ARBUCKLE *whispers to* STRICKLAND) He did not pay it in check or draft, but cash! Ten thousand dollars in cash! Mr. Trask had offered to let the loan stand until Strickland was on his feet again, but Strickland wouldn't hear of it. You will understand his eagerness to cancel the debt in a moment, gentlemen; it was because he had evolved a little plan whereby he could wipe out the obligation without it costing him a cent. The scheme was simple enough, gentlemen. He knew that Mr. Trask would have to keep the ten thousand in his house overnight, and that he would almost certainly lock it up in the safe in the library. And what is more, gentlemen, he knew the combination to Mr. Trask's safe. Bear in mind that only two people knew the combination to that safe—Mr. Trask and Strickland. But Strickland hadn't the nerve to do the job alone, so he called in an assistant. Accordingly, he and his accomplice entered Mr. Trask's house a few hours after Strickland had paid over the money. The accomplice went to work on the safe and Strickland stood guard. The burglar succeeded without much difficulty in opening the safe and extracting the ten thousand dollars, while Strickland superin-

tended the job. Before they could escape, however, they were interrupted, first by Mrs. Trask, and then by her husband. The accomplice made a hasty exit, taking the plunder with him. That was the last that was heard of the accomplice, gentlemen. Who he is or where he went we have been unable to learn. But Mr. Strickland was caught red-handed, and knowing that dead men tell no tales, he shot and killed Mr. Trask in cold blood. There you have the story, gentlemen. Mrs. Trask, the widow of the murdered man, will tell it to you in detail. Her testimony will be corroborated by Mr. Glover, Mr. Trask's secretary, thanks to whose bravery the assassin was disarmed and captured, and who gave us material assistance in linking up the chain of evidence against him. Not one of the acts is disputed. Strickland, realizing the futility of interposing a defense, has refused——

ARBUCKLE. I object to that. (*Rises*)

DINSMORE. Counsel will not interrupt.

(ARBUCKLE *sits.*)

GRAY. Strickland, I say, has refused to make any effort to defend himself. When he was arraigned——

ARBUCKLE. I object to that. (*Rises.*)

DINSMORE. Counsel will not interrupt.

(ARBUCKLE *sits.*)

GRAY. When he was arraigned, he pleaded guilty to the indictment of murder in the first degree; perhaps, gentlemen, you ask, if this is so, why are we here? Why is the County put to the expense of the trial? An expense which we taxpayers must meet in the end? Why must you business men be taken from your occupations; be compelled to lose val-

uable time? Why is not the penalty allotted to murderers inflicted upon the defendant? And in answer to that I say to you, because, gentlemen, the State is jealous of the lives of her citizens. To her the existence of an individual is sacred, no matter if he be depraved, degenerate, possessed of criminal instincts, dangerous to society. She will not allow even a self-confessed murderer to be put to death until twelve of his fellow-citizens, sitting in solemn judgment, calmly, dispassionately hearing and weighing the facts, have decreed that that man shall suffer the consequences of his crime. That is why we are here to-day, gentlemen. That is why His Honor has assigned such distinguished counsel to defend Strickland; and that is why, before we ask you to visit upon this defendant the punishment he merits, we shall, by the unimpeachable testimony of eye-witnesses, convince you of his guilt, beyond the peradventure of a doubt. Unfortunately, his partner in crime has made good his escape. But the greater criminal is in our hands, gentlemen. We shall make him pay the penalty of the law. I shall take up no more of your time. The facts will speak for themselves. (*Looks JURY over. He takes his seat, R. of table*)

ARBUCKLE. (*Rising and addressing the JURY and standing along table*) If the Court pleases: Gentlemen of the Jury, when His Honor assigned me to the defense of this case, it seemed to me that the prosecution's theory was untenable. I knew Mr. Strickland by reputation, and I scouted the burglary hypothesis. This belief strengthened as I became better acquainted with Mr. Strickland. A man of superlative honor and integrity, equipped with a splendid mentality and an excellent reputation, not addicted to bad habits or expensive luxuries, devotedly attached to his wife and child—that is not the sort of man who breaks into his friend's house

for the purpose of theft. The case seemed to me to be not nearly so clear and simple as my friend, Mr. Gray, makes it out to be. But, despite my certainty that there lurked a mystery in this grim affair, I could learn nothing that would aid me in substantiating my belief. As my friend has told you, Mr. Strickland has maintained throughout an obstinate, unbreakable silence. In all my years at the bar, gentlemen, I have never encountered anyone who has declined so resolutely to yield to persuasion. Threats, entreaties and logic alike have left him indifferent. At last I reached the conclusion that Strickland was shielding someone, most likely the unknown accomplice who assaulted Mrs. Trask and broke open the safe. In the hope of learning the identity of this man, and, if possible, Strickland's motive in shielding him, I endeavored to locate the members of Strickland's family. Judge of my surprise gentlemen, when I learned that the defendant's wife had disappeared from home on the night of the tragedy and has not since been heard from. All my attempts to find her have been fruitless. I have been forced to believe (*Pause—looks at STRICKLAND*) that she took her life. I did succeed in finding Doris, the little daughter of the defendant. When you have heard her story, gentlemen, you will agree with me that to send Strickland to his death would be a gross miscarriage of justice. That is all for the present, gentlemen. (*He takes his seat*)

STRICKLAND. (*Has been seated at lower end of table L. Rising*) Your Honor, I won't have it. I won't have my little girl dragged into this case. I've pleaded guilty. I'm willing to suffer the consequences.

(ARBUCKLE *entreats* STRICKLAND *to sit.*)

DINSMORE. Your case is in the hands of your counsel.

STRICKLAND. I don't want counsel. I have no defense. Why don't you sentence me? Why—?

DINSMORE. Proceed, Mr. Gray.

STRICKLAND. Your Honor——

DINSMORE. Silence!

(STRICKLAND *takes his seat.*)

GRAY. Call Mrs. Trask. (ATTENDANT *opens door L., exits, and calls* MRS. TRASK. *She enters, left*) Mrs. Trask, will you kindly take the witness chair, please?

CLERK. Raise your right hand, please. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God? (*She nods yes*) What's your name?

MRS. TRASK. Joan Trask.

GRAY. Mrs. Trask, are you the widow of Gerald Trask?

MRS. TRASK. Yes, sir.

GRAY. How long were you married to Mr. Trask?

MRS. TRASK. Almost fifteen years.

GRAY. Do you remember the night of June 24th?

MRS. TRASK. Indeed I do.

GRAY. Where were you on that evening?

MRS. TRASK. I had been dining out with friends.

GRAY. What time did you arrive home?

MRS. TRASK. About half-past nine.

GRAY. Now, Mrs. Trask, I want you to tell to the court and jury everything that occurred after you arrived home.

MRS. TRASK. Just as I entered my home the telephone in the library rang.

(*Lights out—Curtain.*)

ACT I

SCENE: TRASK'S library. Entrance door right; door to TRASK'S room right; door to MRS. TRASK'S room left; French window in rear; safe right.

At rise of curtain, telephone rings. MRS. TRASK enters upper left, and goes to 'phone.

MRS. TRASK. (*Goes to 'phone R.*) Hello! Yes—yes—this is 182 River. No, Mr. Trask is not in. Who is this, please? I'm his wife. Who are you? What do you want to talk to him about? Well, I'm his wife. Oh, very well. I don't know when he will be in. I don't know. All right. Good-bye. (*Turns away from 'phone in evident distress*)

GLOVER. (*Enters at right center; starts for 'phone*) I thought I heard the telephone bell?

MRS. TRASK. Yes; I answered it. (*Crosses L.*)

GLOVER. Oh, it was for you?

MRS. TRASK. No; for my husband.

GLOVER. Who was it?

MRS. TRASK. (*At door L.*) A woman, as usual.

GLOVER. Oh! (*Sits right at table*)

MRS. TRASK. (*Crosses L. C.—suspiciously*) Do you know who she is?

GLOVER. Why, no!

MRS. TRASK. No, I suppose my husband doesn't take his secretary into his confidence to that extent, although he doesn't make any great attempt to keep things secret. He hasn't even a sense of shame.

GLOVER. You must excuse me——

MRS. TRASK. Yes, of course. I don't ordinarily discuss these things; but even my endurance has its limits. (*Down L., puts cloak on sofa*)

GLOVER. Really, Mrs. Trask——

MRS. TRASK. I've put up with this for fifteen

years now. Oh, what a fool I am to stand for it.

GLOVER. My dear Mrs. Trask, you understand my position. (*Crosses to her*)

MRS. TRASK. (*Sits on sofa L.*) Yes; forgive me. It was wrong of me to talk about it to you.

GLOVER. Not at all; but——

MRS. TRASK. Sometimes I lose patience. Well, we won't say anything more about it. Is Mr. Trask coming home to-night?

GLOVER. (*Crosses R., looks at watch*) Yes; he telephoned this morning. He's coming on the 9:12 from Long Branch. It's half-past nine now. He should have been here by this time. (*Sits R. of table*)

MRS. TRASK. I can't imagine what he's doing down there these two days.

GLOVER. Golfing and fishing, I suppose.

MRS. TRASK. He might have waited until next week. We'll be there all summer. By the way, I'd like you to go over my tradesmen's accounts for me before we leave the city.

GLOVER. I'll do it at once. Where are the books?

MRS. TRASK. In the safe.

GLOVER. (*Going to safe and trying it*) It's locked; do you know the combination?

MRS. TRASK. No; not to the new safe. Don't you know it?

GLOVER. No; I never have any occasion to open the safe when Mr. Trask is away.

MRS. TRASK. I must have him give me the combination. (*Up L. C.*)

(*TRASK enters, left C.*)

TRASK. Hello, Joan! (*MRS. TRASK turns her back to him and goes down L.*) Hello, Glover!

GLOVER. Good evening, Mr. Trask.

(MRS. TRASK *does not answer.*)

TRASK. (*To MRS. TRASK*) What's wrong with you again? (*Down L. C.*)

MRS. TRASK. Nothing. (*Sits on sofa*)

TRASK. Oh, is that all?

GLOVER. (*Rises*) Allow me—(*Takes hat and coat from TRASK; puts them on chair upper right*)

TRASK. Anything new, Glover?

GLOVER. (*Down to table R., where he sits*) No, sir.

MRS. TRASK. A woman called you up.

TRASK. Oh, that's it. Who was it?

MRS. TRASK. I suppose you know well enough.

TRASK. If I knew I wouldn't ask you. Who was it?

MRS. TRASK. I don't know.

TRASK. Didn't you ask her to give you her name?

MRS. TRASK. You don't suppose she'd tell me her name, do you?

TRASK. Did she say she'd call again?

MRS. TRASK. I don't know.

GLOVER. (*Hastily rising*) Do you mind opening the safe, Mr. Trask; I want to get Mrs. Trask's account books.

TRASK. All right. (*Feels in his pockets*) What did I do with that?

GLOVER. Lost something?

TRASK. (*Still searching*) Yes; I had a card with the combination written on it. That's a funny thing.

GLOVER. Look in your inside pocket.

TRASK. (*Searching there*) No; it's not there. Where the devil did I put the thing?

MRS. TRASK. Maybe it's in some other suit.

TRASK. (*Irritably*) No, no; I had it right in this pocket.

GLOVER. When did you have it last?

TRASK. Yesterday morning before I left; I opened the safe to get my check book.

MRS. TRASK. Perhaps you left it down at Long Branch?

TRASK. That's ridiculous. Why would I leave the combination to the safe at Long Branch?

GLOVER. You may have pulled it out with something else.

TRASK. No; there's nothing else in my pocket. (*Turns up, then stops*) Oh, I know what I did with it.

GLOVER. What?

TRASK. I gave it to Strickland.

GLOVER. To Strickland?

TRASK. Yes. I've just come from there. I invited him down to Long Branch to spend Sunday, and wrote the address on the card.

GLOVER. Are you sure the combination was on that card?

TRASK. Yes. I never stopped to look at the other side—damn careless. You'll have to wait until to-morrow for your books. (*Goes up L., crosses to R. C.*)

GLOVER. Well, there's no hurry about it.

TRASK. (*Thinking*) Wait a minute; I believe I can get that combination. (*Goes to safe and manipulates the disc*) No, that's not it.

GLOVER. Well, I guess it can wait until morning.

TRASK. Say, you know if you're going to talk I never can remember these numbers. I've got it; there you are. (*Opens safe*) Help yourself. (*Crosses L., business with humidor on book-case*)

GLOVER. Thanks! (*Goes to safe and takes books*) Do you want to do any work to-night? (*Sits R. of table*)

TRASK. No, I don't think so. I want to turn in early. I've been golfing all day, and I'm tired.

MRS. TRASK. Seems to me you might have waited

until we all went down to Long Branch.

TRASK. When are you going? (*Down L. C.*)

MRS. TRASK. Monday. Aren't you coming with us?

TRASK. I'm going down Saturday night.

MRS. TRASK. Why?

TRASK. I've got up a fishing party for Sunday morning. Like to join me, Glover?

GLOVER. Thanks; I'll be glad to.

TRASK. Strickland's coming with us.

GLOVER. When did he get back from the West?

TRASK. To-night. He wired me to meet him at his home.

GLOVER. What are you going to do about that note of his? It was due on the 22nd, you know.

TRASK. He paid it. (*Sits L. of table*)

GLOVER. He did?

TRASK. Yes; I have the ten thousand here. (*Takes money from his pocket and counts it*)

GLOVER. I'm surprised. I thought he would fall down.

TRASK. He got it from those business connections of his in Cleveland. When I got to his house to-night, he had the ten thousand. I didn't want to take it; I told him I knew he was hard pressed, and that I didn't mind holding off for awhile.

GLOVER. What did he say?

TRASK. He wouldn't hear of it. Wants to begin with a clean slate, he says.

GLOVER. That's like Strickland—straight clean through.

TRASK. Yes.

GLOVER. He's a fine chap. Too bad he couldn't make things go.

TRASK. Well, that's business. Somebody's got to go to the wall.

GLOVER. Strickland takes it pretty hard. On ac-

count of his wife, I guess. He's awfully fond of her.

MRS. TRASK. Is she a nice woman?

TRASK. (*Yawning*) Couldn't say. Never met her. (*Hands GLOVER money*) You better put that ten thousand (*MRS. TRASK goes up to French window*) in the safe, Glover.

GLOVER. Why the cash? (*Rises*)

TRASK. Well, he said it had been so darned hard for him to get it, that he wanted the pleasure of handing it to me in ten one-thousand-dollar bills. Be sure to deposit it in the morning.

GLOVER. All right, sir. (*Goes to safe—At safe*) Shall I lock it? (*He covers the safe with his body while he turns the disc*)

TRASK. Yes. (*Goes up L. Business with book on case*)

GLOVER. (*Rising*) Anything else?

TRASK. I don't think so.

GLOVER. I'll go to my room then. (*Takes books*) I'll have these ready in the morning, Mrs. Trask.

MRS. TRASK. Thank you very much, Mr. Glover. Good-night. (*Down L. Sits on sofa*)

GLOVER. Good-night!

TRASK. Good-night! (*Down L.*)

MRS. TRASK. Good-night!

(*GLOVER goes out right.*)

TRASK. (*Calling after him*) Oh, Glover.

GLOVER. Yes, sir!

TRASK. Better remind me to get that card from Strickland to-morrow.

GLOVER. All right.

TRASK. (*Looks at MRS. TRASK, yawning*) I'm going to turn in. (*Gets hat and coat and starts R.*)

MRS. TRASK. (*Rises*) Gerald, who is this woman? (*Crosses C.*)

TRASK. What woman?

MRS. TRASK. The one who called up a while ago.

TRASK. Aren't you done with that yet? I told you I don't know.

MRS. TRASK. You do know.

TRASK. (*Moving right*) Good-night!

MRS. TRASK. No—I want to know who she is.

TRASK. What's the good of ragging me like this? I tell you I don't know who it is. I suppose it is some business matter.

MRS. TRASK. Nobody would call you up at this time of night on business. You know very well it's not business.

TRASK. Well, what's your theory? (*Puts hat and coat back on chair R. Sits R. of table*)

MRS. TRASK. Aren't you ever going to change? (*Sits L. of table*)

TRASK. Am I never going to have a minute's peace? You're as jealous as a schoolgirl!

MRS. TRASK. Jealous!

TRASK. Yes; you're forever raising a racket about nothing.

MRS. TRASK. Oh, it's nothing, is it?

TRASK. If I look at a woman, or a woman talks to me, you're ready to fly at her throat.

MRS. TRASK. Don't you think you give me cause, the way you conduct yourself? You seem to forget that you have a wife.

TRASK. You never give me a chance to forget it. Every time we're alone, it's the same thing.

MRS. TRASK. Then why don't you treat me as your wife?

TRASK. I don't see what you're complaining about. I don't beat you, do I? You get everything you want. You go where you please and when you please. I allow you more money than you can possibly spend, and your time is all your own. Do you

think there are many women who can say the same?

MRS. TRASK. Do you think that's all I care about? Don't you suppose marriage means something more to me than spending money and amusing myself? What good is it if I haven't the companionship of my husband?

TRASK. My God! are you going to get sentimental?

MRS. TRASK. (*Crosses L.*) I've never known what it meant to be really married. For six years I hid myself away because I didn't happen to suit your family.

TRASK. Well, you didn't lose by it. If my father had cut me off, you wouldn't be living in luxury to-day.

MRS. TRASK. You seem to think that money is all that one needs. It's been that way ever since we were married. I didn't want to keep our marriage secret. But you thought a great deal more of your inheritance than you did of me.

TRASK. You'd have sung a different tune if he'd left me penniless.

MRS. TRASK. All your money hasn't brought me happiness. No other woman would have borne what I have for fifteen years. If you had a spark of manhood in you, you'd lead a decent life—if not for my sake, then for your children's.

TRASK. Oh, now we're around to the children again!

MRS. TRASK. (*Sits on sofa*) You never consider them. They'll soon be old enough to understand.

TRASK. (*Slams table, rising*) Well, what of it? They've got everything they want, too. (*Crosses to her*) They're getting a good education and a liberal allowance. That's all they have a right to expect of me.

MRS. TRASK. You're sending them out into the world with a stigma——

TRASK. Oh, stigma be hanged! I lead a pretty straight life.

MRS. TRASK. Gerald!

TRASK. Yes, I do. You don't expect me to sit home by the fireside twirling my thumbs, do you? I've got time for that thirty years from now. When that time comes, the children won't regulate their lives to suit me, will they?

MRS. TRASK. You've promised me a dozen times to change.

TRASK. Well, that's the only way I can get any peace. (*Sits L. of table*)

MRS. TRASK. I won't stand it any longer.

TRASK. What are you going to do about it?

MRS. TRASK. I'll get a divorce. (*Crosses to him*)

TRASK. Well, go ahead; I won't attempt to prevent you.

MRS. TRASK. No; you'll be glad, I suppose. (*Up L. C., crossing R.*)

TRASK. I won't be sorry, you can wager on that.

MRS. TRASK. To think I've lived with you all these years!

TRASK. Well, why have you?

MRS. TRASK. (*R. of table*) You know why—to keep up appearances on account of the children. To give them a good name.

TRASK. And because I took pretty good care of you.

MRS. TRASK. You talk as though you had been bribing me to throw away my self-respect. I won't stand any more of it. (*Crosses R.*)

TRASK. Do as you please about it.

MRS. TRASK. I will. I'll bring suit against you to-morrow.

TRASK. As soon as you like.

MRS. TRASK. I should have done it years ago.

TRASK. Why didn't you?

MRS. TRASK. (*Crosses to him*) Because I always took your word. I always deluded myself into the belief that you were going to change. I've waited just thirteen years too long. I might have known, after that affair at Great Neck——

TRASK. Now, see here.

MRS. TRASK. Oh, I haven't forgotten it, though it is thirteen years ago. That little Miss Deane, that innocent child—and to think that I have lived with you after that. (*Crosses L.*)

TRASK. Never mind digging up the past. (*Crosses to her*)

MRS. TRASK. I will dig up the past. I'll tell the whole story.

TRASK. Look here, Joan, what's the use of kicking up a row? That divorce idea is all nonsense. There's no reason why we can't go on together. (*Trics to take her hand*)

MRS. TRASK. No; I'm through with you. (*Sits L.*) I've forgiven you a dozen times, and it's been the same thing over again.

TRASK. (*Sits above her on sofa*) Make this the last time. What do you want me to do?

MRS. TRASK. (*Turns to him*) I want you—no, it's no use; it'll be just the same as ever.

TRASK. I tell you it won't. What more do you want? I give you my word.

MRS. TRASK. You've broken it before.

TRASK. But this time I'm in earnest.

MRS. TRASK. You always say that.

TRASK. Well, give me a chance to convince you. I'm on the dead level this time. What'll you gain by dragging me through the divorce court? You'll be the sufferer—you and the children. There'll be newspaper notoriety and all that. Let's try to make it go once more.

MRS. TRASK. Gerald, if I do it's the last time.

TRASK. (*Taking her hand*) Good! We'll begin all over again?

MRS. TRASK. Yes.

TRASK. We'll drop the past?

MRS. TRASK. Yes——

TRASK. (*Kissing her. Rises, crosses R., gets hat and coat and starts for door R.*) All right; that's over.

MRS. TRASK. Gerald, you'll keep your word? (*Rises, crosses C.*)

TRASK. I've said so.

MRS. TRASK. Promise me that you'll break off with this woman, then.

TRASK. What woman?

MRS. TRASK. The one who called up.

TRASK. (*Crossing to her*) Oh, you're wrong about that. You've misjudged me this time.

MRS. TRASK. On your word?

TRASK. Yes.

MRS. TRASK. Forgive me, then. (*Puts her hands on his shoulders*)

TRASK. It's all right.

MRS. TRASK. We'll try to make it go right this time. (*They kiss*)

TRASK. Good! I'm going to turn in now; I'm dog tired. Good-night. (*Goes R.*) Want those lights?

MRS. TRASK. No. Good-night! (*Crosses L.*)

TRASK. (*Switching off light*) Good-night, then. (*Stage dark. Enters his bedroom*)

MRS. TRASK. Good-night.

(*Lights out.*)

(*MRS. TRASK goes L. to her bedroom. The stage is dark. GLOVER enters L. C.; goes to safe, opens it, takes money out of cash box—drops box.*)

MRS. TRASK rattles door-knob, and enters L.)

MRS. TRASK. Who is it? Is there some one here? (*Instantly GLOVER forces her to the sofa. As he is 'struggling with her, STRICKLAND appears, entering the window at back. The man hears him and looks up. STRICKLAND enters the room, and the man disappears into the darkness at the L. side of the room. STRICKLAND goes to MRS. TRASK and looks at her, puzzled. The telephone rings. TRASK stumbles in from his bedroom and switches on the light. —Lights up—*MRS. TRASK is on the floor; STRICKLAND is crouched beside her, covering her with his revolver)

TRASK. (*At 'phone*) Hello! Yes, this is Trask. Is that you, May?

STRICKLAND. You—you—(*Fires, and misses. At the same moment MRS. TRASK screams. TRASK drops the receiver and turns. STRICKLAND fires again, and TRASK falls dead. GLOVER rushes in at R. with a heavy stick, and dashes at STRICKLAND. He raises the stick above his head. STRICKLAND raises his arm instinctively. The stick falls with a crashing blow on STRICKLAND's forearm. The revolver falls from his grasp, and his arm drops limply to his side. He utters a groan and sinks to the floor*)

MRS. TRASK. (*Crosses C.*) My God, he's killed Gerald!

GLOVER. Telephone for the doctor. (*Ring bell*)

MRS. TRASK. Gerald! Gerald!

(*Lights out. Curtain.*)

SCENE III: *The Court Room.*

GRAY. Yes, and then—?

MRS. TRASK. A few minutes later the police arrived.

GRAY. And your husband was dead by that time?

MRS. TRASK. Yes; he died instantly, the doctor said.

GRAY. Now, Mrs. Trask, did you observe the safe before the police arrived?

MRS. TRASK. Yes; the safe was opened.

GRAY. Did you notice if any of the contents was missing?

MRS. TRASK. Yes, sir; the ten thousand dollars was gone.

GRAY. That's all, Mrs. Trask. (*Takes his seat*) You may cross-examine the witness, Mr. Arbuckle.

ARBUCKLE. (*Rising*) Mrs. Trask, did you recognize your assailant—the man who opened the safe?

MRS. TRASK. No. He came upon me so quickly. And the room was in total darkness.

ARBUCKLE. Are you sure that no one but Mr. Trask knew the combination of the safe?

MRS. TRASK. Mr. Strickland knew it.

ARBUCKLE. I move to strike out the answer as not responsive.

GRAY. (*Springing to his feet*) I—? Your honor.

DINSMORE. The motion is denied.

ARBUCKLE. I respectfully except. Mrs. Trask, did any words pass between Strickland and your assailant?

MRS. TRASK. I can't be sure. There was a ringing in my ears. He almost strangled me.

ARBUCKLE. But, to the best of your knowledge, they did not speak to each other?

MRS. TRASK. I can't say one way or the other.

ARBUCKLE. Mrs. Trask, do you know who "May" is?

MRS. TRASK. No, sir, I do not.

ARBUCKLE. I have no further questions, your honor.

GRAY. That's all, Mrs. Trask. (*She steps down, goes L., pauses, looks at STRICKLAND and exits L.*) Is Dr. Morgan in the witness room?

ATTENDANT. (*Opens door and exits*) Doctor Morgan! (*There is no answer*)

GRAY. (*Waits until MRS. TRASK is off—To JUDGE DINSMORE*) Dr. Morgan is the physician who examined Mr. Trask's body, Your Honor. He told me that he might be detained.

(ATTENDANT *enters.*)

ATTENDANT. Dr. Morgan is not here.

GRAY. With Your Honor's permission, I'll call Mr. Glover, in order not to delay the trial.

DINSMORE. Yes.

GRAY. Call Mr. Stanley Glover!

ATTENDANT. (*Opens door left and calls off*) Stanley Glover.

(GLOVER *enters left.*)

GRAY. Mr. Glover. Will you take the witness stand, please?

(GLOVER *takes the stand.*)

CLERK. Raise your right hand please. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God? What's your name?

GLOVER. Stanley Glover.

GRAY. (*Down stage*) Mr. Glover, you were Mr. Trask's private secretary.

GLOVER. Yes, sir.

GRAY. On the night of June the 24th, after you

left the library with Mrs. Trask's books, what did you do?

GLOVER. I went directly to my room.

GRAY. Describe what occurred then.

GLOVER. I began going over the books. About half an hour later I heard a shot, then I heard Mrs. Trask scream, and another shot fired. I picked up a heavy cane I had in my room and rushed downstairs to the library. Mr. Trask's body was on the floor, and Strickland was standing at the other side of the room, with a revolver in his hand.

GRAY. What did you do?

GLOVER. I dashed at Strickland with the cane and struck his arm. He dropped the revolver and fell to the floor.

GRAY. When you entered the room, did you see any sign of the other man?

GLOVER. No, sir; the French windows at the back were open, and he must have escaped that way.

GRAY. What happened then?

GLOVER. While Mrs. Trask was telephoning for the police I kept watch on Strickland. Then I happened to remember what Mr. Trask had said about giving Strickland the card with the combination to the safe on it, and I thought he might have it on him, (ARBUCKLE *interrupts*) and that if he did it would prove of value to the police.

ARBUCKLE. I object to the witness stating what he thought.

DINSMORE. Yes; strike out that part of the answer.

(Stenographer does so.)

GRAY. (*Up-stage*) Just tell what you did and saw, Mr. Glover.

GLOVER. Well, I began to search Strickland's pockets.

GRAY. Was that before the police arrived?

GLOVER. Yes; I was afraid he might destroy the card.

ARBuckle. (*Springing to his feet*) Your Honor, I ask that the witness be instructed to answer the questions and no more.

DINSMORE. Yes; strike out the answer. (*To GLOVER*) You must confine your answers to the questions which are put to you. You are not to volunteer anything, and you are not to tell what passed through your mind. Is that clear?

GLOVER. Yes, Your Honor.

DINSMORE. Proceed, Mr. Gray.

GRAY. Mr. Glover, did you take the card from Strickland's pocket? (*Gets card from book on table L.*)

GLOVER. Yes, sir.

GRAY. Is this it? (*Passes card to GLOVER*)

GLOVER. (*Examining it*) Yes.

GRAY. (*Takes card from GLOVER*) I offer it in evidence, Your Honor. (*Gives card to stenographer who marks it and gives it back to GRAY*)

GRAY. (*Crossing L. c.—To the jury*) This People's Exhibit A is a visiting card. On the face is engraved in old English type the name of "Mr. Gerald Trask." Below that is written in pencil, "206 Henderson Place, Long Branch." On the other side is written in words and figures: "14 right 2, 27 left 3." Is there any question about the handwriting, Mr. Arbuckle?

ARBuckle. You'd better prove it.

GRAY. (*Down-stage*) Mr. Glover, are you familiar with Mr. Trask's handwriting?

GLOVER. Yes; I know it perfectly.

GRAY. You've seen it often on letters and documents?

GLOVER. Hundreds of times.

GRAY. (*Gives card to GLOVER*) I show you this

card and ask you whether the address, "206 Henderson Place, Long Branch," is in Mr. Trask's writing.

GLOVER. It is.

GRAY. Now turn the card, please. Are the words and figures, "14 right 2, 27 left 3," also in Mr. Trask's writing?

GLOVER. They are.

GRAY. There's no doubt in your mind about it?
(*Takes card*)

GLOVER. Absolutely none.

GRAY. Do you know the significance of these figures, "14 right 2, 27 left 3?"

GLOVER. Yes, sir. It's the combination to Mr. Trask's safe.

GRAY. How do you know?

GLOVER. When the police arrived I gave them this card. They locked the safe and opened it with this combination.

GRAY. Now, Mr. Glover, I call your attention to the fact that the card is torn almost in half. Can you explain how that *occurred*?

(*Ring slow curtain.*)

GLOVER. Yes, sir. As I took the card from Strickland's pocket, he snatched it out of my hand and started to tear it in half. Before he had torn it all the way, I managed to get hold of it again.

GRAY. Yes! and what happened then?

(NOTE: GRAY'S *line is spoken after curtain is down.*)

ACT II.

SCENE: *Court Room.*

GRAY. Dr. Morgan, in what condition did you find Mr. Trask's body?

MORGAN. (*On witness stand*) I found two bullet wounds.

GRAY. Describe them, please.

MORGAN. One was a slight wound on the right shoulder caused by a grazing bullet.

GRAY. And the other?

MORGAN. The other bullet entered the body just above the left breast and lodged in the heart.

GRAY. That's all, Dr. Morgan.

ARBUCKLE. I have no cross-examination, Your Honor.

(MORGAN *steps down*—Crosses L.)

GRAY. That's the case for the prosecution, Your Honor.

DINSMORE. Proceed with the defense, Mr. Arbuckle.

ARBUCKLE. I shall call Miss Doris Strickland.

(ATTENDANT *goes out left calling* "DORIS STRICKLAND.")

STRICKLAND. (*Springing to his feet*) No, Your Honor—don't let her testify; she's my little girl. She's all I've got left. Don't let her testify.

DINSMORE. You must leave your case in the hands of your counsel. He will protect your interests.

(ARBUCKLE *tries to force* STRICKLAND *to sit*.)

STRICKLAND. I don't want to be protected; protect my little girl. Don't bring her in here. (*Sits*)

(DORIS *enters left, walks to* STRICKLAND, *puts arms around him*.)

ARBUCKLE. Come, Strickland, this won't do. Come, Doris, sit up in that chair there.

STRICKLAND. (*Rising*) No, no; take her out of here. She's all I have left to me.

ARBUCKLE. Up there, Doris. (*Takes DORIS to stand*)

STRICKLAND. Your Honor, I want to keep her out of this; it's the only request I've made. You're a man, Your Honor, a father, perhaps——

DINSMORE. I am powerless to help you. I am merely an instrument of the law which will mete out justice to you. The law must be permitted to take its course. Proceed, Mr. Arbuckle.

(*STRICKLAND sinks into his chair and buries his face in his arms. ARBUCKLE crosses left to table.*)

GRAY. (*Rises*) Your Honor, I respectfully ask that the competency of this child to testify be determined.

ARBUCKLE. By all means, Your Honor.

(*GRAY sits.*)

DINSMORE. How old are you, Doris?

DORIS. I'm going to be nine years old on the 6th of November.

DINSMORE. And do you go to school?

DORIS. Yes, sir. I was promoted; I'm in the grammar school now.

DINSMORE. Did you ever go to Sunday school?

DORIS. Yes, sir. I went every Sunday before Mamma went away. But now Aunt Helen won't let me go, because all the children talk about me and make me cry.

DINSMORE. Did you learn in Sunday school that you must always tell the truth?

DORIS. Yes, sir; that's one of the Ten Command-

ments, "Thou shalt not bear false witness against thy neighbor." That means that you should never tell a lie. Miss Weston told me that.

DINSMORE. Who is Miss Weston?

DORIS. She's my Sunday school teacher. She taught me all the Ten Commandments. Shall I say them for you?

DINSMORE. Not now. (*To GRAY*) I think she may testify. Proceed, Mr. Arbuckle.

ARBUCKLE. Doris, what is your full name?
(*Crosses to her*)

DORIS. Doris Helen Strickland.

ARBUCKLE. Who is your father?

DORIS. That's my daddy there. (*She starts down*—*ARBUCKLE stops her*)

ARBUCKLE. Robert Strickland is your father?

DORIS. Yes, sir.

ARBUCKLE. Doris, do you remember the night on which Mr. Trask was shot?

DORIS. Yes, sir. (*Pause*)

ARBUCKLE. Your father had been away from home?

DORIS. Yes, sir. He was in Cleveland buying a house for us to live in.

ARBUCKLE. And he came back that evening?

DORIS. Yes, sir.

ARBUCKLE. Now, just before he came home, where were you?

DORIS. I was in the sitting room.

ARBUCKLE. That was about half-past seven, wasn't it?

DORIS. Yes, sir.

ARBUCKLE. What were you doing?

DORIS. I was waiting for my Daddy.

ARBUCKLE. Yes, I know; but were you reading or playing or sitting still?

DORIS. I was practising my piano lesson.

(*The stage is dark; piano is heard, in orchestra. The lights go up in library of STRICKLAND'S home. Entrance door near R. Door to DORIS' room rear left. DORIS playing piano. Crosses right to little stool back of sofa and plays with dolls. MAY enters right, goes to 'phone, looks up number on card she brings on.*)

MAY. (*At telephone; her back to sofa*) Hello! give me 4000 Jersey City, please. . . . Hello! is this the Jersey railroad? . . . Give me the lost articles clerk, please. . . . Hello! this is Mrs. Robert Strickland, of New York City. . . . That's right. Have you found a purse belonging to me? . . . Are you sure? . . . Why, I don't know. I came in from Long Branch yesterday afternoon, and when I got off the train I noticed that my handbag was open. The purse must have fallen out. . . . Yes, I've telephoned to the station master at Long Branch several times. . . . No, it hasn't. . . . He referred me to you. . . . (*DORIS sits on sofa*) The 4.17 from Long Branch, Yesterday. . . . A small black velvet purse . . . About forty dollars in bills, some visiting cards with my name and address on them, and some very important memorandas. . . . I wish you would. . . . Very well. Good-bye. (*She hangs up receiver, turns and sees DORIS, who has emerged from the sofa*) Doris! Where did you come from?

DORIS. I was sitting behind the sofa.

MAY. (*Sits R. of table*) Whatever were you doing there?

DORIS. I was playing with my dolls. (*Crosses to MAY*) Mamma, was it that nice, soft black little purse you lost?

MAY. Listen to me, Doris. When Daddy comes, I don't want you to say anything to him about the purse.

DORIS. Why not? (*Kneels beside her*)

MAY. Because he'll be angry if he knows it's lost, and then he'll worry about it. You don't want to worry Daddy, do you?

DORIS. No; but, Mamma, weren't you shopping yesterday?

MAY. Of course, dear.

DORIS. But you told the man you were at Long Branch.

MAY. It was a friend of mine who was there. I loaned her the purse, and she lost it.

DORIS. Who was it?

MAY. You don't know her.

DORIS. Why did you lend her your purse?

MAY. Because she hadn't any money of her own.

DORIS. But, Mamma, wasn't it fibbing to tell the man—?

MAY. No; I'll explain some other time. Promise Mamma you won't say anything. (*Door slam off R.*)

DORIS. I promise.

STRICKLAND. (*Off-stage*) Hello, Bertha, how are you?

BERTHA. How are you, Mr. Strickland?

STRICKLAND. Everybody all right?

DORIS. It's Daddy, Mamma! It's Daddy! (*Runs off*)

(*MAY puts card in bosom of her dress, places doll on stool. Goes up R. C.*)

STRICKLAND. (*Calling*) Yes, it's your old daddy. Hello, Sweetheart!

DORIS. Hello, Daddy dear! What have you got for me?

STRICKLAND. Something wonderful. Give me another kiss. Are you g'ad to see your daddy?

DORIS. Oh, Mamma and I have been so lonesome.

STRICKLAND. Where is Mamma?

DORIS. In here. (DORIS and STRICKLAND enter. *Business of MAY waiting*)

STRICKLAND. Hello, May, sweetheart!

(DORIS puts bag on table, then crosses right behind them.)

MAY. (*Runs to him; hysterical business*) Robert, dear! I'm so glad you're back.

STRICKLAND. It's good to be back. By Jove! I was homesick.

MAY. Those few days seemed like ages. Didn't it seem a long time, Doris?

DORIS. Oh, an awfully long time.

STRICKLAND. Did you miss your daddy?

DORIS. Yes, I cried every night; didn't I, Mamma?

MAY. Yes, you did.

DORIS. And whenever the clock struck to-day, I wished it was time for you to be here. Didn't I, Mamma?

STRICKLAND. Well, next time we will all go together.

MAY. Everything's all right, then?

STRICKLAND. Yes; just as I wrote you.

MAY. I'm so glad.

(DORIS, *up-stage*.)

STRICKLAND. Yes, I feel easier, too.

MAY. Have you had your dinner, Robert?

STRICKLAND. No; I was so anxious to get home that I didn't stop.

MAY. You poor boy, you must be famished.

STRICKLAND. I *could* eat something.

MAY. I'll have Bertha get it ready for you. It won't take long.

STRICKLAND. Thanks, dear. (*To DORIS*) Come here, to Daddy! (*Goes to R. of table and sits*)

MAY. I'm leaving you in good hands.

STRICKLAND. (*DORIS sits on his knee*) Yes, Doris and I have lots and lots of things to tell each other.

(*MAY goes out right.*)

STRICKLAND. Now, young lady, tell your daddy, who hasn't seen you for four whole days, exactly what you've been doing with every minute of your time.

DORIS. (*Vaguely*) Oh, lots of things.

STRICKLAND. Well, let's begin at the beginning. Monday you went to school.

DORIS. Yes; and then Mamma took me to Aunt Helen's for supper.

STRICKLAND. And Tuesday you went to school?

DORIS. Yes; Tuesday was the last day. Oh, Daddy, I was promoted!

STRICKLAND. Of course you were promoted. I didn't expect anything else. You're in the grammar school now?

DORIS. (*Proudly*) Yes.

STRICKLAND. Oh, dear, oh, dear, at this rate you'll soon be through college.

DORIS. I don't want to go to college. I want to be a cook, with a big white apron and lots of shiny pans.

STRICKLAND. Why do you want to be a cook?

DORIS. So that I can make cookies and pies and bread and give them to the heathens.

STRICKLAND. To the heathens!

DORIS. Yes, I'm learning to cook, Daddy.

STRICKLAND. Are you?

DORIS. Yes; I helped Aunt Helen yesterday.

STRICKLAND. Were you at Aunt Helen's yesterday?

DORIS. Yes, all day. Because Mamma was downtown shopping.

STRICKLAND. And what did you do to-day?

DORIS. To-day I stayed home and played house. We were going to the park, but Mamma wanted to lie down, so we didn't go.

STRICKLAND. Isn't Mamma well?

DORIS. She has a headache.

STRICKLAND. Has she had it long?

DORIS. No, only to-day. Did you get a house, Daddy?

STRICKLAND. Yes; a nice white house, with a large garden.

DORIS. (*Clapping her hands*) And cows?

STRICKLAND. No, no cows; but lots of flowers and a dog.

DORIS. Oh! A big dog?

STRICKLAND. Yes; and now let me show you what Daddy brought you.

DORIS. Something for me? (*Crosses to L. of table*)

STRICKLAND. Yes, something for you.

BERTHA. (*Enters R.*) Mr. Trask is here.

STRICKLAND. Oh! yes, show him in.

(*BERTHA exits R.*)

DORIS. Oh, Daddy, what's that shiny thing? (*Takes revolver from bag*)

STRICKLAND. (*Takes doll from bag*) That's a revolver, and don't you ever dare touch it. (*Puts it in bag—Unwrapping doll*) There, what do you think of that?

DORIS. Oh, Daddy, isn't he beautiful? What shall we call him?

STRICKLAND. Well, as he came from Germany, suppose we call him Herman.

TRASK. (*Enters upper right*) Hello, Bob!

(TRASK and STRICKLAND shake hands.)

STRICKLAND. Hello, Jerry, how are you?

TRASK. Fine. Just get back?

(DORIS comes between them.)

STRICKLAND. Yes; about fifteen minutes ago.

TRASK. Everything arranged?

STRICKLAND. Yes. Oh, you haven't met Doris, have you? Doris, shake hands with Mr. Trask.

TRASK. So you're Doris, are you?

DORIS. (*Shyly*) Yes, sir.

TRASK. Who is this?

DORIS. This is Herman.

TRASK. How do you do, Herman? How do you like America? You're quite a girl, aren't you?

STRICKLAND. Yes, indeed; she's in the grammar school now.

TRASK. That's great.

STRICKLAND. Oh! here Jerry, sit down, sit down.

(TRASK sits R. of table. DORIS sits up R. C.)

TRASK. So everything's all right, Bob?

STRICKLAND. Yes; I made very favorable terms with the Briggs people.

TRASK. When do you begin?

STRICKLAND. In a few weeks. I got a cracker-jack house. (*Puts bag on piano bench*)

TRASK. You'll leave soon, then?

STRICKLAND. Yes; you got my wire, of course. (*Down to table*)

TRASK. Yes.

STRICKLAND. I want to take up that note.

TRASK. Can you make it? If you can't spare it—

STRICKLAND. Thanks all the same; but I want to pay it.

TRASK. I don't mind holding off for a few months. That ten thousand won't put me out of business.

STRICKLAND. No; I don't want to leave any debts behind me. I thought I might have to ask for an extension, but I managed to scrape it together. The Briggs people helped me out.

TRASK. Well, you may need it anyhow. I'll wait till you get on your feet.

STRICKLAND. Thanks, Jerry, but I want to wipe it out. I'll feel easier. (*Back of table*)

TRASK. All right, just as you like. Here's the note. (*Gives note to STRICKLAND—Business*)

STRICKLAND. And here's the money. (*Takes money from wallet and gives it to TRASK*)

TRASK. Why the bills?

STRICKLAND. Well, I'll tell you. It was so darn hard to get, that I just wanted the pleasure of handing you ten one-thousand-dollar bills. You'd better count it.

TRASK. Did you count it?

STRICKLAND. Yes.

TRASK. Well, that's good enough for us.

STRICKLAND. You gave me a big lift, old boy. (*Pats TRASK on back*) I got lots to thank you for.

TRASK. Any time you need help—(*Rises—crosses L. of table, sits*)

STRICKLAND. Yes, I know you've been a good pal, Jerry, but I hope things will run smoothly now.

TRASK. I'm sorry to see you go, but I think it will be a big thing for you.

STRICKLAND. (*Sits on front of table*) Should

have gone long ago. May has been urging me for over a year.

TRASK. She must have guessed what was coming.

STRICKLAND. Yes; women have instincts about those things. I tell you, Jerry, she's one woman in a million. She's stuck to me like a major through all this business. Never whimpered a minute; never a complaint or an angry word. Ah, she's an ace.

TRASK. She must be.

STRICKLAND. You know it's too bad you never met May; I want you to know her. (*Up R. C.*) Doris, dear, run and tell Mamma that Mr. Trask is here.

TRASK. Some other time, Bob, I've got to hurry away. By the bye, I'd like to have you come down to my place at Long Branch Sunday. I'm getting up a fishing party, six or eight of us. The bass are running well now.

STRICKLAND. I'll be glad to come. (*Down c.*)

TRASK. I'll give you the address. (*Takes card from his pocket and writes on it*) It's on Henderson Place—three blocks from the railroad station. First house on the left.

(*STRICKLAND pockets card.*)

STRICKLAND. Thanks.

TRASK. Better come down Saturday night, as we want to leave by five Sunday morning.

STRICKLAND. All right, I will.

TRASK. Well, I've got to run along. (*Crosses to R. C. above table, turns up center*)

(*MAY enters at right and sees TRASK, and is about to withdraw; but STRICKLAND has seen her.*)

STRICKLAND. Come in, dear. (*MAY enters right*) I want you to meet Mr. Trask, May. Jerry, my wife.

TRASK. (*Bowing*) Delighted, Mrs. Strickland. (*MAY bows in silence*) I've often heard Bob speak of you.

STRICKLAND. (*Laughing*) Yes, dear; Jerry has heard a lot about you.

TRASK. Well, I've got to hurry away. (*Starts for door R.*)

STRICKLAND. (*Up R. c.*) Oh, wait just a few minutes. Good Heavens! I want May to know you.

TRASK. Sorry, but I can't. Some other time. Good night, Mrs. Strickland.

MAY. (*In a low voice*) Good night!

TRASK. I hope to have the pleasure again, Mrs. Strickland. Good night! Good night, Doris! (*Goes out, followed by STRICKLAND*)

DORIS. Oh! Mamma, look what Daddy brought me. (*MAY crosses c.*) But, Mamma, look.

MAY. (*Brings DORIS to table—To DORIS*) Doris, dear, was he—Mr. Trask—here long?

DORIS. Yes; they were talking an awfully long time. Daddy's going fishing at Long Branch.

MAY. What do you mean, child?

DORIS. Mr. Trask lives at Long Branch, and Daddy's going fishing with him Sunday. Wouldn't it be funny if Mr. Trask found your purse, Mamma?

MAY. Be quiet, Doris.

STRICKLAND. (*Entering upper R.*) Isn't he a corker? Well, you weren't very talkative, dear.

MAY. I was rather taken aback. I didn't expect to find a stranger here.

STRICKLAND. I am glad you two met at last. It's too bad you didn't get to know each other sooner.

(DORIS goes to piano above table).

MAY. What brought him here?

STRICKLAND. I wired him to come. I took up that note.

MAY. The note?

STRICKLAND. Yes; the ten thousand dollars I owed him.

MAY. You mean you paid it?

STRICKLAND. Yes. Why, what's the matter?

MAY. Nothing. But I thought—I'm glad you're able to.

STRICKLAND. Yes, I feel better too. Although Jerry would have given me as much time as I wanted. He's a big-hearted chap.

MAY. Yes.

STRICKLAND. He invited me to go fishing with him to Long Branch on Sunday.

MAY. Oh, I think Helen will expect us for dinner.

STRICKLAND. By George! I never thought of that. All right, I won't go then.

MAY. No, don't. Besides, I dislike the idea of your being out in a boat.

STRICKLAND. All right; I'll phone Jerry in the morning. (*Gets cigarette from tray on piano—lights it. Hums all the while. Then crosses down R.*)

MAY. Yes, do. (*Crosses L. to DORIS*) Doris, dear, run off to bed now.

DORIS. Oh, Mamma, please——

MAY. No; you should have been there long ago.

DORIS. Just five minutes.

MAY. No, not a second. Run away, dear.

DORIS. But I want to talk to dad.

MAY. You can talk to daddy in the morning. He's tired, too. Now kiss daddy good-night.

DORIS. (*Crosses right*) Good-night, daddy.

STRICKLAND. Good-night, sweetheart. (*Kissing her*) Sleep soundly. Oh, hang this up for daddy—(*Gives her his vest—Sits on sofa R.*)

DORIS. (*Kissing MAY*) Good-night, Mamma.

MAY. Good-night, my little girl. Now, in you go.

DORIS. Come on, Herman. (*Carrying doll—Exits left*)

MAY. Mamma will look in at you later.

DORIS. Leave the door open.

MAY. All right, Sweetheart. (*Crosses R.*) Oh, Robert, I've read your letter a dozen times; I feel as though I knew every nook and corner of the house. I'm so anxious to go; I wish we were there already. (*Crosses to sofa and sits*)

STRICKLAND. We'll be there soon.

MAY. How soon?

STRICKLAND. Why, as soon as we can get ready; say, two weeks.

MAY. Oh, as long as that?

STRICKLAND. Well, ten days, if you like.

MAY. Let's go next week. I have grown to detest New York.

STRICKLAND. But we've waited so long; a few days more or less——

MAY. That's just it; we've waited so long that it's gotten on my nerves.

STRICKLAND. Aren't you well, dear?

MAY. Yes, certainly; why do you ask?

STRICKLAND. Doris says you aren't feeling well to-day.

MAY. That child gets such queer notions in her little head. I was a trifle excited about your home-coming; that was all. It's the first time we've been separated.

STRICKLAND. Yes, and the last, let us hope.

MAY. We'll go next week, then?

STRICKLAND. Why, it's scarcely time. There'll

be some things to buy.

MAY. We can get almost everything we need when we arrive.

STRICKLAND. Still, when you're breaking up housekeeping there are always odds and ends.

MAY. That won't take long—a day or two.

STRICKLAND. You'll need a traveling dress.

MAY. I'll buy one ready-made.

STRICKLAND. I know you've been looking already; Doris said you were shopping yesterday.

MAY. Yes, I was looking for a traveling dress, but I couldn't get anything to suit me.

STRICKLAND. Well, wait a minute; I've been doing a little shopping myself. (*Gets box from bag*)

MAY. For me? (*Crosses to him*)

STRICKLAND. Yes, for you.

MAY. Oh, Robert, I'll be so happy to get away; I'll start packing to-morrow.

(*BERTHA enters upper right.*)

BERTHA. There's a Mr. Burke here to see you, Mrs. Strickland.

STRICKLAND. (*Above table to MAY*) Who's Mr. Burke?

MAY. Why, I don't know.

STRICKLAND. Tell him to come in, Bertha.

BERTHA. Will you come in, please?

(*BURKE enters, BERTHA exits.*)

MAY. Mr. Burke.

BURKE. Yes, ma'am. Are you Mrs. Robert Strickland, mum?

MAY. Yes.

BURKE. I don't like to bother you, ma'am——

STRICKLAND. Sit down, Mr. Burke.

BURKE. (*Seating himself on sofa—right*) Thank

you, sir. I found a purse that belongs to you, mum, I think.

MAY. Robert, dear, your dinner will be ready now; you'd better go in before it gets cold.

STRICKLAND. I can wait a few minutes.

MAY. Perhaps Mr. Burke will excuse you.

BURKE. I'll only take a minute, mum; I've come all the way from Long Branch.

STRICKLAND. Have you lost a purse, May? (*Takes string from box*)

MAY. Why, no; I don't think so. (*Down c.*)

BURKE. Are you sure, mum?

MAY. Positive.

STRICKLAND. Where did you find the purse, Mr. Burke?

BURKE. On the platform of a railroad station at Long Branch last night. I'm the news agent there.

STRICKLAND. Long Branch? Then it can't be yours, May?

MAY. Certainly not. Mr. Burke has evidently made a mistake.

BURKE. There are a half-a-dozen cards in it, with your name and address on them.

STRICKLAND. That seems strange.

MAY. Perhaps one of my friends.

STRICKLAND. What kind of a purse is it, Mr. Burke?

BURKE. Well, if you haven't lost one? (*Rises and goes up a step*)

STRICKLAND. (*Crosses R.*) It's just possible that you've made a mistake, May. Let Mrs. Strickland look at it?

BURKE. I'd rather have you describe it first.

STRICKLAND. Oh, yes, of course. You haven't more than two or three purses, May; describe them to Mr. Burke.

MAY. But I haven't lost a purse.

STRICKLAND. (*Crosses L., unwraps box*) I

know ; but it would only take a moment to describe them.

MAY. (*Crosses R. C.*) Well, there's my mesh bag, with the oxidized silver purse.

BURKE. No, that's not it.

MAY. Oh ! Robert, there's that green leather bag you gave me for my birthday——

BURKE. (*Rising*) I guess this isn't yours. (*Goes up center*)

MAY. No, I knew it wasn't. (*Down C.*)

STRICKLAND. (*Crosses R. C.*) Wait a moment ; you've forgotten that Frenchy black velvet affair you usually carry.

BURKE. What kind ?

STRICKLAND. Black velvet with a gold clasp.

BURKE. (*Comes down R. and takes purse from pocket—Holding up purse*) This it ?

STRICKLAND. Why, yes, of course ; isn't it, May ? (*Takes purse*)

MAY. (*Faintly*) Yes, it looks like it. I——

STRICKLAND. You see, you were so positive——

MAY. I don't understand.

BURKE. How much was in it, mum ?

MAY. About forty dollars, I think.

BURKE. That's right. Thirty-eight dollars and seventy-five cents ; count it, sir.

STRICKLAND. (*Counting money*) That's the amount that's here ? Is that correct, May ?

MAY. Why, yes, I think so.

STRICKLAND. (*Puts money back in purse and closes it*) You say you found this at Long Branch, Mr. Burke ?

BURKE. Yes, sir. On the platform, last night. There was a slip of paper in it, with a Long Branch address written on it—206 Henderson Place. I didn't get a chance to go around there until this evening, as it's a good bit out of my way. There was nobody home but an old housekeeper. She said

she didn't know anyone named Strickland, but there'd been a lady there yesterday; so I thought I'd come to the address on the card.

STRICKLAND. I see. Well, we're greatly obliged to you, Mr. Burke.

(BURKE starts to exit.)

STRICKLAND. Hold on, wait a minute. You're entitled to some compensation for your trouble.
(Gives him some bills)

BURKE. (Pleased) Thank you very much, sir.

STRICKLAND. Not at all; we're indebted to you.

BURKE. Well, I always say that honesty is the best policy.

STRICKLAND. Quite right.

BURKE. Yes, I found it so. Well, good-night, mum. Good-night, sir.

STRICKLAND. Let me show you to the door.
(Crosses R.)

BURKE. Thank you, sir. (He goes out, followed by STRICKLAND)

(DORIS enters left.)

DORIS. Oh, Mamma, you found your purse, didn't you?

MAY. Yes, darling; now run away to bed.

DORIS. But I can't sleep.

MAY. But you must sleep, dear. Try, try dear, just a little while. There's a good little girl. (Takes her left DORIS enters door, left)

(STRICKLAND re-enters; puts purse on table.)

STRICKLAND. It's strange you didn't know you lost your purse. You almost drove the man away. What made you so insistent?

MAY. I didn't want you to think I'd been careless.

STRICKLAND. (*Surprised*) Oh, then you knew you'd lost your purse.

MAY. Why, I——

STRICKLAND. Did you know?

MAY. Yes; I missed it last night. (*Facing him*)

STRICKLAND. But why did you pretend you didn't know?

MAY. I thought you'd be angry if you knew I'd lost the purse.

STRICKLAND. But why on earth——

MAY. It was careless of me to lose it.

STRICKLAND. But, my dear girl——

MAY. I just didn't want to worry you.

STRICKLAND. Well, I wouldn't be likely to worry about a recovered purse, would I? (*Exits R. of table*)

MAY. It was foolish.

STRICKLAND. How did the purse get to Long Branch? You weren't there yesterday. (*MAY does not answer*) Were you?

MAY. Yes.

STRICKLAND. But you said before that you'd been shopping.

MAY. That was on account of Doris. (*Comes to table*)

STRICKLAND. On account of Doris?

MAY. Yes; she wanted to know where I was going. (*Sits L. of table*) If I had told her I was going to the seashore, she would have teased me to take her along.

STRICKLAND. But you told me the same thing after Doris had gone to bed.

MAY. Did I? I couldn't have been thinking of what I was saying.

STRICKLAND. Yes, you even mentioned that you were looking for a traveling dress.

MAY. Queer, isn't it? My thoughts must be wandering to-night. The excitement of your home-coming, and all that. (*Rises*)

STRICKLAND. What took you to Long Branch?

(*BERTHA enters.*)

MAY. What is it, Bertha?

BERTHA. Mr. Strickland's dinner is ready.

STRICKLAND. All right, Bertha; I'll be there in a moment.

(*BERTHA exits right upper.*)

MAY. You'd better go in, Robert; everything will get cold. (*Up behind table*)

STRICKLAND. In a moment.

MAY. But you must eat, dear; you'll be ill if you don't.

STRICKLAND. Just tell me about Long Branch. I don't quite understand it.

MAY. I'll tell you some other time. I'm tired now, and your dinner is waiting.

STRICKLAND. Won't you tell me why you went down there? (*She goes L. a step*) You didn't write that you were going? Why are you acting so strangely, dear? (*Takes her in his arms*)

MAY. I'm not acting strangely. Of course I'll tell you why I went down. I went down to see a friend.

STRICKLAND. I didn't know you had friends at Long Branch.

MAY. You don't know her.

STRICKLAND. Who is she?

MAY. Ruth Green is her name.

STRICKLAND. Who's Ruth Green?

MAY. An old school friend of mine.

STRICKLAND. Have I ever met her?

MAY. No; and I haven't seen her for years.

STRICKLAND. Then how did you happen to go down to see her yesterday?

MAY. She wrote, asking me to come down.

STRICKLAND. (*R., a few steps*) You haven't met her for years, then she suddenly asks you to come down to Long Branch to see her. Why didn't she come to see you?

MAY. She's critically ill, and she wanted to see me again. So she had me looked up. We used to be quite intimate in school.

STRICKLAND. How did she manage to write, if she's so ill?

MAY. Someone wrote for her.

STRICKLAND. From what is she suffering?
(*Crosses to her*)

MAY. Why—pneumonia.

STRICKLAND. Oh, she's dangerously ill then?

MAY. Oh, yes.

STRICKLAND. But Burke said there was no one there.

MAY. Burke—?

STRICKLAND. Yes—at the Henderson Place address. The house he went to. He said he found only an old housekeeper.

MAY. Oh, yes, I remember; they said they were going to remove her to a hospital to-day.

STRICKLAND. With pneumonia?

MAY. Yes—there are serious complications.

STRICKLAND. I see. (*Crosses R. and sits on sofa*)

MAY. Your dinner won't be fit to eat, Robert.

STRICKLAND. Never mind about it; I'm not hungry. Just be patient with me for a few minutes more. (*Sits on sofa, right*)

MAY. What are you thinking about, Robert?
(*Sits L. of table*)

STRICKLAND. (*Crosses c.*) I'd like to see that

letter from Miss Green.

MAY. I can't show it to you.

STRICKLAND. Why not?

MAY. Because it contains some personal matters that she wouldn't want anyone but me to know about.

STRICKLAND. But she didn't write the letter herself.

MAY. No—her mother wrote it for her.

STRICKLAND. Oh, she has a mother?

MAY. Certainly she has a mother.

STRICKLAND. (*Sits on edge of table*) In other words, your friend whom you haven't seen for years chooses a moment when she is critically ill to get her mother to write to you concerning matters which your husband daren't know anything about? Is that correct?

MAY. Yes; but there's nothing strange about it.

STRICKLAND. Perhaps not. (*Crosses R. C.*) Still, I'd like to see the letter. I don't want to read it. I only want to look at it.

MAY. Why do you want to see it?

STRICKLAND. (*Sits R. of table*) I want to know why, if you had a letter containing your friend's address, you went to the trouble of copying it on another piece of paper.

MAY. Who said I copied it on another piece of paper?

STRICKLAND. Burke. He said the purse contained the Henderson Place address on a piece of paper.

MAY. Oh, that was because—I did that to—(*Rises and goes L. a step*)

STRICKLAND. (*Goes to her with hands on her shoulders*) May, you're keeping something from me.

MAY. Don't say that, Robert. Why should I keep anything from you?

STRICKLAND. I don't know; but you are, nevertheless. What is it, May?

MAY. There is nothing.

STRICKLAND. There is. I've never seen you like this before. Won't you tell me?

MAY. There's nothing, dear—nothing! (*Down L.*)

STRICKLAND. Well, then I can't see why you have any great objection to showing me the letter?

MAY. I can't show it to you.

STRICKLAND. You can't?

MAY. No; I destroyed it.

STRICKLAND. Oh, you destroyed it?

MAY. Yes.

STRICKLAND. Why?

MAY. I never keep letters.

STRICKLAND. Why didn't you say so in the first place?

MAY. Say what in the first place?

STRICKLAND. That you destroyed the letter.

MAY. Because you're cross-examining me as though I were a criminal. My head's whirling like a top. I can't stand it much longer. (*Up L.*)

STRICKLAND. (*Up to table*) May, dear, I don't want to hurt you. Won't you tell me what's troubling you? We've never before had secrets from each other.

MAY. But there's nothing to tell—there's nothing to tell.

STRICKLAND. I'll have to find out for myself, then. (*Sits in chair right of table*) I didn't look for this kind of a home-coming. (*He relapses into silence*)

MAY. (*Above table—Pause*) What are you thinking about now? (*He does not answer*) I wish you'd eat your dinner instead of exciting yourself about nothing.

STRICKLAND. Henderson Place. Where is that card Trask gave me? (*Searches in his pockets*)

MAY. (*L. of table*) What are you talking about?

STRICKLAND. (*Finding card*) Here it is! What's this? "14 right, 2, 27—" No, that's not it. Yes—206 Henderson Place. 206! (*Rises*) That's the very number Burke mentioned, isn't it?

MAY. I don't know; I don't know.

STRICKLAND. (*Crosses R. c.*) Is it, or isn't it?

MAY. I don't know.

STRICKLAND. I'll soon find out. (*He reaches for purse on table, which MAY seizes first*) Let me have that purse.

MAY. What do you want it for?

STRICKLAND. I want to see that address.

MAY. There's no address there.

STRICKLAND. Give me that purse.

MAY. No, Robert!

STRICKLAND. I want that purse; do you hear me?

MAY. Robert!

STRICKLAND. Will you give it to me, or not?

MAY. Please—Robert.

(*He snatches the purse from her; she gives a little scream; STRICKLAND opens the purse; scatters the contents on the table; he searches through them until he finds what he is looking for.*)

STRICKLAND. This is it. 206 Henderson Place. (*R. of table*) Trask's address. So that's where you were? Well, what have you got to say?

MAY. (*Down L. Desperately*) I'll tell you.

STRICKLAND. Wait a moment. It was Trask's house you went to, wasn't it?

MAY. Yes.

STRICKLAND. Then your friend—then her mother—and the letter you destroyed were all lies, weren't they?

MAY. Yes, but listen to me.

STRICKLAND. Go ahead, I'm listening. (*Sits R. of table*) I want to know why you went to Trask's house.

MAY. I'm going to tell you, if you'll only be patient.

STRICKLAND. Go on.

MAY. I'd heard you say that Mr. Trask had a home at Long Branch.

STRICKLAND. Well?

MAY. When you wrote to me about the house—

STRICKLAND. Well—why are you stopping?

MAY. You frighten me.

STRICKLAND. Go on.

MAY. Well, I don't know much about house planning, and I wanted to see a well planned house.

So I went down to Long Branch to look through Mr. Trask's house.

STRICKLAND. With him?

MAY. No, alone; the housekeeper showed me through.

STRICKLAND. So that's why you went down—to look at the house?

MAY. Yes.

STRICKLAND. Then why have you been lying to me?

MAY. I thought you might not like it.

STRICKLAND. Why did you think that?

MAY. I don't know; it was a foolish thing to do—going to a stranger's house; and your manner seemed so suspicious—you forced me into it. (*Down L. a step*)

STRICKLAND. When I introduced you to-night you pretended you'd never met each other?

MAY. We hadn't.

STRICKLAND. How did you know his address then?

MAY. I called him up.

STRICKLAND. You called him up?

MAY. Yes, of course; I couldn't go without asking his permission.

STRICKLAND. So you called him up to ask permission to visit his house—a man you'd never met.

MAY. He's a friend of yours—I didn't see any harm.

STRICKLAND. What did he say?

MAY. He said he didn't mind at all.

STRICKLAND. And he gave you his address?

MAY. Yes.

STRICKLAND. Over the phone?

MAY. Yes.

STRICKLAND. (*Half mad*) That's the last lie you'll tell me. (*Rises and goes up R.*)

MAY. What do you mean?

STRICKLAND. I mean that this address is in Trask's handwriting. (*Crosses to her*)

(MAY with a cry sits L. of table.)

STRICKLAND. I want the truth now. You met Trask before to-night?

MAY. Yes.

STRICKLAND. He came here.

MAY. Yes.

STRICKLAND. When?

MAY. Night before last.

STRICKLAND. And you arranged to go down there yesterday? He was there? You went down there to meet him—my God! (*Up R. C.*)

MAY. Robert, dear.

STRICKLAND. May, why did you go down there?—I'm waiting.

MAY. Because—no, no, I can't tell you; I can't tell you. (*Crosses R.*)

STRICKLAND. May, if you love me—if you ever loved me——

MAY. I can't—I can't!

STRICKLAND. You can't tell me? You mean—No! Say it's not true! (*She does not answer*) Won't you answer? Is it true?

MAY. Robert, dear, you mustn't ask me any more questions, because I can't answer them. There is something I can't tell you. You must trust me, Robert. We've loved each other all these years. Believed in each other. You're everything that life means to me—you and Doris. We're going away now, to begin a new life. Perhaps some day when we are in our new home I'll tell you, but not now. You've always believed in me; believe in me now.

STRICKLAND. I do—I do! But there's one thing you must tell me. What have you been to Trask? (*MAY drops on sofa, sobbing. STRICKLAND starts c. looks at door L., buries his face in his hands—groans—starts for door R., stops—rushes to bag, gets revolver and rushes off R.—Door slam*)

MAY. (*Sobbing on sofa—Gets up—goes up center*) Robert! Robert! He's gone! He's gone! If he finds him, he'll kill him. His whole life will be ruined. Robert, my husband, my husband. (*Rushes to 'phone*) Hello, hello! give me 182 River—

DORIS. (*Rushes from left*) Oh, Mamma, I'm afraid—I'm afraid.

MAY. (*Takes her in her arms*) Oh, my darling! My baby! (*Takes DORIS in her arms*) My little girl! HELLO! HELLO!—

Curtain.

SCENE III.

(DORIS heard sobbing.)

DORIS. I'm afraid, I'm afraid.

(*Lights go up on Court Room scene.*)

DORIS. (*Sobbing*) I'm afraid; I'm afraid. (*On witness stand*)

ARBUCKLE. Don't cry, Doris. I won't be much longer. Whom did your mother call up?

DORIS. Mr. Trask; but he wasn't there.

ARBUCKLE. How do you know he wasn't there?

DORIS. Because Mamma said, I will call again.

ARBUCKLE. Then what did she do?

DORIS. She cried and walked up and down the room and said lots of terrible things.

ARBUCKLE. What did she say?

DORIS. Why didn't I tell him? Why didn't I tell him?

ARBUCKLE. What then?

DORIS. Then I cried, too, because I was afraid. I wanted to talk to her, but she wouldn't. I was awfully afraid. I'm afraid now. (*She cries*)

ARBUCKLE. Don't cry, Doris. It will only be a few minutes longer; then we'll be through with you.

DORIS. (*Crying*) I want my Mamma.

ARBUCKLE. Try not to cry. Just a little while longer. (*Takes her hand from her face*) That's a good girl. Are you listening to me?

DORIS. (*Choking back a sob*) Yes, sir.

ARBUCKLE. Did your mother call up again?

DORIS. Yes, sir; and she said: "Is that you, Gerald Trask?" I don't want to talk any more. My head hurts, and I'm afraid.

ARBUCKLE. Don't be afraid. We'll be finished

in a moment. Your mother said: "Is that you, Gerald Trask——"

DORIS. Yes, sir.

ARBUCKLE. What happened then?

DORIS. Then—then—oh, I don't know.

ARBUCKLE. Yes, you do, Doris. Just try to think. You've told me about it a great many times.

DORIS. I don't remember.

ARBUCKLE. Try to think a moment. Be a brave girl. Did you hear a noise through the telephone?

DORIS. Yes, sir.

GRAY. (*Rises*) If the Court please, I must again insist that my friend refrain from leading the witness.

ARBUCKLE. I submit, Your Honor, that the child is laboring under a terrific strain, and that I must be allowed some latitude.

DINSMORE. Try not to lead the witness.

(GRAY *sits.*)

ARBUCKLE. You say you heard a noise, Doris?

DORIS. Yes, sir.

ARBUCKLE. What kind of a noise was it?

DORIS. I don't know—a funny noise—like a little firecracker.

ARBUCKLE. And what did your mother do when she heard the noise?

DORIS. She screamed and said: "My God, he's killed him!" Please let me go. I don't want to talk any more——

ARBUCKLE. Just one more question, and you'll be all through.

DORIS. I don't want to.

ARBUCKLE. What did your mother do after she said, "My God, he's killed him?"

DORIS. She took me in her arms and kissed me

and said, "Good-bye," and I cried because it hurt when she kissed me.

ARBUCKLE. Did she go away then?

DORIS. Yes.

ARBUCKLE. And have you seen your mother since that night?

DORIS. (*Sobbing*) No, no; I want to see her.

ARBUCKLE. Do you know where she is?

DORIS. (*Sobbing*) No, no—please tell me. I want to see her. I want to see her. Daddy dear—(*Ring—She starts down steps of stand—ARBUCKLE catches her in his arms*) Why did you make Mamma cry and run away from me?

ARBUCKLE. (*Catches her in his arms*) That's the child's story, Your Honor.

STRICKLAND. For God's sake, you're torturing my little baby.

GRAY. I move that the child's testimony be stricken out.

DINSMORE. (*Raps once*) Silence.

STRICKLAND. (*Rises*) You're torturing my little girl.

Curtain.

ACT III.

SCENE ONE.

SCENE: *The Court Room.*

DINSMORE. Mr. Gray, have you seen Mr. Arbuckle this morning?

GRAY. No, Your Honor, I have not.

DINSMORE. (*Looking at his watch—As JUDGE looks at his watch several of the jury look at their watches*) It's twenty minutes after ten. Mr. Daniels!

CLERK. (*Rises*) Yes, Your Honor.

DINSMORE. Just call up Mr. Arbuckle's office and find out what's detaining him.

CLERK. Yes, Your Honor. (*Goes right—ARBUCKLE enters, breathless, with bag—puts bag on table L.*) Here's Mr. Arbuckle, Your Honor.

DINSMORE. (*Sharply*) This court convenes at ten o'clock, Mr. Arbuckle.

ARBUCKLE. (*Crosses c.*) I must ask Your Honor to excuse me. I have been working all night on this case. There has been an unexpected development over night. Last evening Mrs. Strickland, the wife of the defendant, came to my house. It seems that she became dangerously ill after the catastrophe, and it is only the realization of the importance of her testimony that has enabled her to be in condition to take the witness stand. She has told me a story, Your Honor, which puts an entirely different aspect upon this case.

GRAY. I object to counsel commenting upon the testimony of a witness who has not yet been called.

ARBUCKLE. Very well, Your Honor. I shall call Mrs. Strickland at once. Her testimony will require no comment. Call Mrs. Strickland, please. (*Talks to JUDGE—ATTENDANT opens door left and calls*)

ATTENDANT. Mrs. Strickland.

(*MAY enters left. Stands below table L.*)

ARBUCKLE. (*Crosses to her—takes her hand—helps her to stand*) Kindly take the stand, please.

(*MAY does so.*)

CLERK. Raise your right hand, please. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and noth-

ing but the truth, so help you God? Wat's your name?

MAY. May Deane Strickland.

ARBUCKLE. Now, Mrs. Strickland, you are the wife of Robert Strickland, the defendant?

MAY. Yes, sir.

ARBUCKLE. When were you married?

MAY. July 15, 1903.

ARBUCKLE. Did you know Gerald Trask?

MAY. Yes, sir, I did.

ARBUCKLE. When did you first meet Mr. Trask?

MAY. In March, 1900.

ARBUCKLE. That was before you knew Mr. Strickland?

MAY. Yes, sir; more than two years before.

ARBUCKLE. How old were you at that time?

MAY. Just seventeen.

ARBUCKLE. Where did you meet Mr. Trask?

MAY. At Lakewood.

ARBUCKLE. Now, Mrs. Strickland, describe your relations with Mr. Trask at that time.

MAY. He was very attentive to me and took me about a good deal. About ten days after I met him I returned to the city, and he came back too. He kept sending me things and taking me out. Then one day he asked me to marry him.

ARBUCKLE. When was that?

MAY. In April, 1900.

ARBUCKLE. Did you accept him?

MAY. Not the first time. I asked him to wait.

ARBUCKLE. What did he say?

MAY. He said he would wait as long as I wanted him to. But every time he saw me he spoke to me about it—telling me how much he loved me and how much I meant to him. He seemed so earnest and sincere that I believed everything he said. At last I yielded and consented to marry him.

ARBUCKLE. When was that?

MAY. On the 19th of May. He said he wanted to be married next day. But on account of his family he couldn't let it be known for awhile, so we'd have to be married secretly. Next day he called for me in his automobile and said we were going to a hotel in Great Neck, Long Island, to meet a clergyman with whom he had made arrangements. We got to Great Neck at about seven o'clock that evening.

ARBUCKLE. (*Pause*) Yes?

MAY. The next morning we were to have breakfast in our rooms.

Ring—Lights go out—Curtain.)

SCENE II.

(*Knocking heard off right. Curtain rises. Lights go up. Enter MAY from left.*)

MAY. Just a minute, just a minute, please. (*Opens door right*) Come in.

WAITER. (*Enters with breakfast*) It's the breakfast, ma'am.

MAY. Put it right there.

WAITER. Shall I set the table, ma'am.

MAY. No—no.

(*RUSSELL enters with bunch of flowers—WAITER exits R.*)

RUSSELL. Good morning, Mrs. Trask.

MAY. Oh, good morning, Mr. Russell.

RUSSELL. I just came in to supervise the laying of the breakfast. I want it to be a function.

MAY. (*Laughing*) Yes, considering it's the first.

RUSSELL. I told the chef to make the effort of his life.

MAY. That's darling in you, Mr. Russell.

(WAITER *goes off left.*)

RUSSELL. (*Presenting the flowers*) And here's the bridal bouquet. I wish you both lots of happiness.

MAY. Thank you ever so much, Mr. Russell. They're beautiful.

RUSSELL. From our own garden. Permit me to lay the table.

MAY. Oh, no; please let me.

RUSSELL. Well, I hope you enjoy your breakfast.

MAY. I'm sure we shall. Thank you again. (*Holding out flowers*)

TRASK. Hello, Russell! (*Enters R.*)

RUSSELL. (*At door*) Good morning, Mr. Trask. (*Goes out R.*)

MAY. Gerald, look at the beautiful flowers Mr. Russell brought me. Aren't they lovely?

TRASK. Fine.

MAY. He's awfully nice.

TRASK. He can't help being nice to you.

MAY. You deserve a flower for that.

(*Business of adjusting flower on his coat.*)

TRASK. That breakfast smells very interesting.

MAY. Before you can have a mouthful to eat, you must tell me where you've been all the while.

TRASK. I've been fixing up the car.

MAY. You were gone ages and ages.

TRASK. Only fifteen minutes.

MAY. Only fifteen minutes! Why, that's a lifetime. I thought you were never coming back.

TRASK. (*Laughing*) Did you?

MAY. Yes. That would have been a nice state of affairs, wouldn't it—on our first day?

TRASK. Yes. Parted at the altar, eh?

MAY. I think you deserve a scolding for running off for so long. (*Puts flowers in vase*)

TRASK. Don't scold me. I hate to be scolded on an empty stomach. (*Gets table cloth*)

MAY. Will you promise never to do it again?

TRASK. Yes, I promise.

MAY. Oh, that isn't enough. You must say, "I'll never, never, never leave you again, as long as I live." Say that.

TRASK. I'll never, never, never leave you—how does it go? (*Both lay table-cloth*)

MAY. "—again, as long as I live."

TRASK. Again, as long as I live. Is that right?

MAY. Yes. And now you must ask me to forgive you.

TRASK. Forgive me.

MAY. May dear.

TRASK. May dear. (*Kisses her—They stand each side of the table*)

MAY. Ooh! You taste of gasoline.

(*Business of breakfast throughout.*)

TRASK. Yes; I've been tanking up the car. (*Crosses R.*)

MAY. Why? (*Crosses R.*)

TRASK. We're going away this afternoon. (*Puts grape-fruit on table*)

MAY. Going away? Where to?

TRASK. Anywhere you like.

MAY. Why leave here?

TRASK. Oh, there's no fun here. This place is dead.

MAY. But I love this place. It will always be sacred to me—our wedding place. It's the greatest happiness we'll ever know. (*Gets knives, forks, napkins and toast—Crosses to L. of table—Sets table*)

TRASK. Of course there's a lot in that. Still, it's not very lively. (*Gets omelet*)

MAY. Every once in a while, Gerald, years from now, we'll slip down here quietly—just you and I alone, and live this day again, won't we.

TRASK. Yes; that will be bully. (*Gets cups, saucers, plates, then cream and coffee*)

MAY. Isn't it strange! Yesterday this place was only a queer name to me, and now it's the dearest spot on earth. I'm so happy, Gerald dear. Must we keep it quiet long? (*They embrace*)

TRASK. Yes, quite a while, I'm afraid.

MAY. It seems so wrong for families to interfere in these things. If people love each other, I don't see why they must consult anyone else about it. (*Puts vase on table*)

TRASK. You can't get everybody to see that. (*Gets sugar, salt and pepper*)

MAY. I wish we could tell. (*Sits L. of table*) I'm just longing to go about telling everybody how happy I am.

TRASK. Don't say a word to anyone.

MAY. No, I won't—I've promised. But the clergyman may tell someone, Gerald. Clergymen are sometimes gossipy, you know.

TRASK. I'll see that he doesn't tell. (*Gets butter plates*)

MAY. What's his name?

TRASK. The clergyman? (*Sits R. of table*)

MAY. Yes.

TRASK. Oh—Smith. Walter Smith.

MAY. Is he nice? (*Pours coffees, sugar and cream*)

TRASK. Yes; fine chap.

MAY. You're very good friends, aren't you?

TRASK. Oh, yes; we were classmates at college.

MAY. I'm glad of that.

TRASK. Why?

MAY. Well, it will be so much nicer than having a stranger. Don't you think so?

TRASK. Yes, of course. That was why I asked him.

MAY. Do you think he'll be here soon?

TRASK. Sometime during the morning, he said.

MAY. It's strange, he didn't receive your first message last night, isn't it?

TRASK. There's nothing strange about it. His maid forgot to deliver it, that's all.

MAY. Of course, it was too late for him to come down after you telephoned from here.

TRASK. Yes, of course, it was almost midnight. I couldn't have asked it of him.

MAY. I wish he had come last night.

TRASK. Yes; it's too bad he didn't.

MAY. I feel uncomfortable about it.

TRASK. I don't see why. A few hours sooner or later—what difference does it make?

MAY. Well, I guess it doesn't make any difference. I wish, though, you had gotten someone in the neighborhood.

TRASK. I told you I tried. The only clergyman who could have married us is out of town attending a convention. But if I had thought you were going to be cut up about it—

MAY. You aren't angry, are you, dear. (*Rises, goes to back of table*)

TRASK. No, certainly not. I understand how you feel about it; but it's only a matter of form, after all, you know.

MAY. Of course it is. I'm a silly girl, and you're so patient with me. Do you know, Gerald, I'm almost afraid of you sometimes.

TRASK. Nonsense! Why? (*Puts omelet on plates*)

MAY. You know so many things. (*Sits L. of table*)

TRASK. That's no reason you should be afraid of me. (*Hands plate to MAY*)

MAY. I know it isn't. Gerald, dear, you're sure you never cared for any other girl?

TRASK. My dear child, I've told you a hundred times. Don't you believe me?

MAY. Of course I do. But it seems so strange that you should fall in love with me. You've met so many other girls.

TRASK. Yes; but I've never met anyone like you.

MAY. You do care a great deal, don't you? (*Takes his hand*)

TRASK. I've told you.

MAY. And you'll be very good to me.

TRASK. As good as I know how.

MAY. And you'll always love me?

TRASK. As long as I live. Haven't I said so?

(*Both drink, looking at each other.*)

MAY. (*Pauses—goes to window L.*) I do wish Mr. Smith would come.

TRASK. I can't imagine what's keeping him.

MAY. Don't you think you'd better telephone?

TRASK. No. Let's be patient a little while longer.

MAY. What will we do if he doesn't come?

TRASK. Well, you see we must leave here this afternoon at any rate.

MAY. But we can't leave without being married.

TRASK. Why not?

MAY. Why not! Surely, Gerald, you wouldn't want to.

TRASK. I thought we had agreed about that.

MAY. I know, but——

TRASK. I don't see what you're worried about. It's only a matter of ceremony—a formality.

MAY. I know; but a girl looks at these things differently.

TRASK. Well, if my man doesn't come, it would be impossible to be married here anyhow.

MAY. Couldn't you find someone—(*Sits L. of table*)

TRASK. Impossible! There's no one available. Besides, we couldn't get a ring down here.

MAY. Oh, haven't you a ring?

TRASK. No, I forgot it. It's all right, though. I told Wallace to bring one down with him.

MAY. Wallace? I thought you said his name was Walter?

TRASK. So it is. Wallace is a nick-name I gave him because he's so proud of his Scotch ancestry.

MAY. Oh! Gerald, I've got a plain gold ring. I'll get it. (*Exits left—Pause; knock at door R.*)

TRASK. Come in. (*RUSSELL enters, with open telegram in his hand*) Hello, Russell, what have you got there? Dispatches from the front?

(*MAY enters left.*)

MAY. Gerald, look; will this do. (*Down L. c.*)

RUSSELL. I'd like an explanation of this. (*Reads telegram*) "Detain May Deane until I arrive. She is with Gerald Trask.—Henry Deane."

MAY. From Father!

TRASK. (*Angrily to MAY*) What is this?

MAY. I don't know, Gerald. I don't understand it.

TRASK. Didn't I tell you—?

MAY. I didn't tell him.

RUSSELL. Well, Mr. Trask?

TRASK. Well, what?

RUSSELL. Is this young lady your wife, or isn't she?

TRASK. What difference does that make to you?

RUSSELL. It makes a great deal of difference to me. You registered here as man and wife.

TRASK. Well, then, what are you worrying about?

MAY. But explain to Mr. Russell, Gerald. (TRASK crosses L. up to window—Looks out window) We're going to be married this morning, Mr. Russell. We were going to be married last night, but there was no clergyman.

TRASK. Keep quiet, May!

RUSSELL. Quite so. There probably aren't more than about a dozen clergymen within a mile of this place.

MAY. What do you mean! GERALD—
(Comes down R. to RUSSELL)

TRASK. Keep quiet, I tell you, and let me manage this. What do you want, Russell?

RUSSELL. I want you to get out at once.

TRASK. We're planning to leave this afternoon.

RUSSELL. That won't do; you must leave immediately. It's eleven o'clock now—I want you out by noon.

TRASK. I'll go when I get ready.

RUSSELL. No, you won't; you'll go now. I won't have any questionable characters in my house.

MAY. How can you let him talk like that!

TRASK. Will you be quiet!

RUSSELL. I've been years building up a reputa-

tion for this place, and I don't intend risking it for you or anyone else.

TRASK. You're damned independent, old man. This isn't the only roadhouse on Long Island, you know.

RUSSELL. I guess I can stand the loss of your business. I don't care for your sort, anyhow.

TRASK. You've said enough, Russell. You'd better clear out. (*Crosses L. and up stage*)

RUSSELL. (*Up to door R.*) Yes; but I want you out by noon, understand that. Young lady, for your sake, I hope your father gets here before then.

TRASK. If you don't get out of this room I'll kick you out.

RUSSELL. If you're not out by noon I'll send for the police. (*Exits R.*)

(*TRASK crosses R.—locks door, followed by MAY.*)

MAY. Gerald, why did he talk like that? Why didn't you explain?

TRASK. This is a nice mess we're in.

MAY. But, Gerald, if you had only explained——

TRASK. Didn't I tell you not to let your father know where we were.

MAY. But I didn't.

TRASK. What !

MAY. I didn't, I tell you. I would have if you hadn't told me not to.

TRASK. I told you fifty times that I didn't want anyone to know. (*Down L.*)

MAY. But I didn't—I didn't!

TRASK. How else could he have found out?

MAY. I don't know—but not from me.

TRASK. The very thing I wanted to avoid has happened. (*Crosses R.*)

MAY. But it's not my fault——

TRASK. He'll come down here and make a scene..

MAY. Not when he finds it's all right. But I wonder how he knew we weren't married yet.

TRASK. Don't waste time now. Get ready.
(Crosses L.)

MAY. Ready for what?

TRASK. To go. We've got to clear out before the old man gets here.

MAY. Oh, no, Gerald; let's——

TRASK. I'm managing this. Get ready. (*Up to door L.—Knock at door*)

MAY. Oh, that must be Mr. Smith.

TRASK. Damn it! That's your father, I'll bet. There'll be a devil of a row——

MAY. Shall I tell him to come in?

TRASK. Wait a minute. If it's your father, I don't want to see him.

MAY. But, Gerald——

TRASK. Listen to me. I'm going into the other room. I'll wait in there while you talk to the old man. If he asks for me, tell him I'm out. Get rid of him as quickly as you can. Do you understand?

MAY. Yes; but if it's Mr. Smith——

TRASK. Do as I tell you, do you hear me?
(*Knock at door. He goes into bedroom. MAY pauses irresolutely. Crosses R. and unlocks door*)

MAY. Father! (*Retreats R. c.*)

DEANE. Where's Trask?

MAY. Why did you come, Father?

DEANE. Where is he? (*Crosses c. below table*)

MAY. He—he's out.

DEANE. Where did he go?

MAY. Why—I don't know——he didn't say—but, Father——

DEANE. When is he coming back?

MAY. Why—not for quite a while. (*Pause*)
How did you know we were here, Father?

DEANE. Never mind now. Get your things,
May. (*Looks at breakfast*)

MAY. My things? Why?

DEANE. We're going home.

MAY. But, Father, Gerald and I are going to be married this morning.

DEANE. Get your things, May.

MAY. But, Father, you don't seem to understand. Gerald and I are going to be married this morning; we're waiting for the clergyman. (*Goes to him*)

DEANE. He can't marry you. (*Puts arms around her*)

MAY. He can't! What do you mean?

DEANE. He is a married man. (*Turning away*)

MAY. (*Inarticulately*) Married?

DEANE. His wife telephoned to me this morning. She's been having him watched.

MAY. No! I don't believe it! I don't believe it!

DEANE. Come, May.

MAY. (*With her back to the door*) Father, don't you understand? We're to be married this morning. There's a clergyman coming down. (*Mrs. TRASK enters*) He was to have come last night. Don't you understand? (*MAY turns and sees her—Pause*) Who are you? What do you want? Who is she?

DEANE. This is Mrs. Trask.

MRS. TRASK. You'd better go home with your father.

(*MAY stands dazed, looking from one to the other.*)

DEANE. (*Crosses to her*) Come, May, come.

(*MAY then rushes to the bedroom door, which she flings open.*)

MAY. Gerald! Gerald! (*Goes in room; comes*

out; stands at door. DEAN rushes out door L. Count FIVE then auto effect; she rushes to window. DEANE enters the bedroom) Gerald! Gerald! (Screams and faints—DEANE enters)

DEANE. May!

(Lights out—Curtain.)

SCENE III.

CURTAIN—LIGHTS UP.

MAY. *(Discovered on witness stand)* I don't know what happened then; *(Ring up)* I must have fainted. But the sound of that automobile went through my head for weeks. Soon after, father died. Then I met Robert—my husband. When I saw that he loved me, I tried to tell him about—about that terrible experience, but I was afraid of destroying his happiness. He would not have understood. Men *don't* understand, and I loved him so. He seemed to need me and to need his belief in me. I came to realize I must never tell him. He was all that life meant to me. I wanted to devote my every thought to shielding him from the slightest unhappiness. Even though he was a strong man, he seemed to need my protection. Two years later we were married. I had begun to think of that awful experience only as a terrible dream. Then my baby—Doris—came. And I had two to watch over; their happiness was my one aim in life. For nine years we three were so happy together. Then one day about a year ago, Robert mentioned that man's name; he had met him somewhere. I hoped that their acquaintance was only passing; but they became more friendly. Robert spoke several times of having us meet, but for a year I avoided that meeting. Meanwhile Robert's business troubles

had begun. He—that man—lent him money and helped him in other ways. With their growing friendship I dreaded the wrecking of all our happiness. Then a business opportunity arose, which would take us from New York. I urged Robert to accept this, and he finally decided to. It seemed as if some power were guarding the happiness of my husband and baby. It was a Monday when Robert left for Cleveland. Tuesday night HE came. It was about the note which was due then. He recognized me, and threatened to tell Robert everything. He taunted me, saying that Robert would believe anything against me because of my long silence. He demanded that I come to his house at Long Branch the next day. I begged for mercy. I went down on my knees to him. I begged, and begged, and begged. He wouldn't even listen to me. He said he would ruin Robert and make a pauper of him. I was mad with fear. I didn't care for myself, I only thought of Robert and my baby. Their happiness was in my hands. I would have paid any price to shield them. If by dying I could have saved them, I would have died willingly. It would have been much easier than—but there was only one way, and I *had* to save them. Then Robert found out, and all my years of planning were shattered. Last evening, as I lay half-conscious in the hospital, I heard the nurses discussing the testimony of a little girl. I learned it was my little girl, and that my husband was on trial for murder and burglary. They didn't want to let me go, but I made them understand that my husband might be put to death unless the truth were known. I've *told* you the truth. Can't you understand? He didn't go there to rob; he didn't take the money. Robert's not a thief. I am to blame. The fault is all mine. I've ruined the lives of my husband and baby. God forgive me! (*Ring curtain*) God forgive me! God forgive me.

ACT IV.

THE JURY ROOM

FOREMAN. Mr. Mathews.

MATHEWS. Not guilty.

FOREMAN. Mr. Adams.

ADAMS. Not guilty.

FOREMAN. Mr. Richner.

RICHNER. Not guilty.

FOREMAN. Mr. Leavitt.

LEAVITT. Not guilty.

FOREMAN. Mr. Oton.

OTON. Not guilty.

FOREMAN. Mr. Summers.

SUMMERS. Not guilty.

(Ring up.)

FOREMAN. Mr. Tovell.

TOVELL. Not guilty.

FOREMAN. Mr. Elliot.

ELLIOTT. Not guilty.

FOREMAN. Mr. Friend.

FRIEND. Not guilty.

FOREMAN. Mr. Leeds.

LEEDS. Not guilty.

FOREMAN. Mr. Moore.

MOORS. *(Rises down R.—After hesitating)* Not guilty.

JUROR LEEDS. Good!

JUROR FRIEND. That's the stuff!

JUROR ELLIOTT. At last!

JUROR TOVELL. Good for you!

JUROR MOORE. Wait a moment. Mr. Trumbull hasn't voted. How do you vote, Trumbull?

FOREMAN. Gentlemen, we stand eleven for acquittal and one for conviction.

JUROR LEEDS. Oh, I say, Trumbull! Don't hold out now! (*Crosses R. down stage*)

JUROR FRIEND. What's the good of being pig-headed. (*Rises*)

JUROR TOVELL. Make it acquittal, and let's get it over with.

FOREMAN. (*Quietly*) I've voted, gentlemen.

JUROR SUMMERS. Look here, Trumbull, will you listen to reason? (*Crosses R. C.*)

FOREMAN. (*Pushes back chair and puts one foot on table*) Go ahead.

SIXTH JUROR. What's the good of sending Strickland to the chair? You don't bring Trask back to life, do you? All you do is kill off a good, clean, straightforward chap who's a valuable asset to the community. And who suffers most? Strickland? Not he! His wife and his little girl—they're the sufferers. You throw a sensitive woman out on the world and give a little girl a blot upon her name that she'll never be able to wipe out. What's your idea? Why do you want to convict him?

FOREMAN. I don't want to convict him. I don't want to be instrumental in sending any man to his death. I guess I've got as much humanity in me as the rest of you. To hear you talk, a person would think I'm thirsting for Strickland's blood.

(SUMMERS *crosses to* FRIEND.)

JUROR MATHEWS. Well, why are you holding out?

JUROR LEAVITT. Why don't you vote for acquittal?

JUROR TOVELL. Your attitude doesn't bear out your words.

MATHEWS. (*Sits on table in front of FOREMAN*) Come on, Trumbull, be reasonable!

(LEEDS *goes up* R.)

FOREMAN. There's one thing you gentlemen seem to overlook. We're citizens as well as men. We've sworn to do our duty as jurors—to render a fair verdict. We mustn't be swayed by personal sentiments. We must govern ourselves by the evidence. (TOVELL *rises—sits*) That's what we're here for—to render justice.

(MATHEWS *goes L., gets a drink of water at cooler—sits L.*)

JUROR SUMMERS. Now listen to me, Trumbull; you're a reasonable man. (LEEDS *crosses to R. C.*) Just let's get away from strict logic for a moment. You say you want to render justice. Well, so do I. So do we all.

JUROR LEEDS. Yes, of course!

JUROR FRIEND. Certainly.

JUROR TOVELL. That's what we're here for!

JUROR LEAVITT. Of course we do.

JUROR SUMMERS. But rendering justice means something more than applying hard and fast rules of law. I'll grant you that the letter of the law declares that if one man kills another, the penalty must be death. But we've got to get beneath the letter—we must get at the spirit. We're not machines, you know. There's more to this case than a mechanical application of the Penal law. We've got to attack this from the human standpoint. We must try to put ourselves in Strickland's place. Just consider that for a moment. (*Down R.*) Suppose that Mrs. Strickland had been your wife—and Trask had been the other party. What would you have done?

JUROR FRIEND. Yes, he's right.

JUROR LEEDS. That's the way to look at it.

JUROR TOVELL. You'd have done the same. (*Rises—sits on table, facing FOREMAN*) Shooting was too good for Trask!

JUROR MATHEWS. Yes, there's an unwritten law that—(*Rises*)

JUROR SUMMERS. (*Interrupting*) I don't agree with you there. Ordinarily I don't believe that there's any justification for taking a human life. But this case is one in a thousand. This man Trask deliberately invaded his friend's home—and wrecked it! The woman was helpless, and he played on her helplessness. That's why I'm for acquittal. And that's why you should be for acquittal too. Trumbull, you have a wife. Just consider—

JUROR MOORE. (*Down R. followed by LEEDS—Interrupting*) I think that you gentlemen are going off at a tangent. Unless I'm greatly mistaken, Trumbull agrees with you that Strickland had ample justification for killing Trask.

(SUMMERS goes up R. C.)

JUROR LEEDS. Then why's he holding out?

JUROR TOVELL. What's keeping him back? Let's hear from you, Trumbull.

FOREMAN. Mr. Moore is right. I do think that Strickland had cause for killing Trask. If I had been placed in similar circumstances, I probably would have done the same thing.

JUROR SUMMERS. But still you vote for conviction.

FOREMAN. Yes, because I'm not sure that Strickland went to Trask's house solely because of his wife. I'm inclined to think he also went there to rob the safe.

JUROR LEEDS. That's nonsense (*Goes to chair and sits*).

JUROR FRIEND. Absurd!

JUROR TOVELL. Strickland's no burglar. (*Up stage R.*).

JUROR SUMMERS. (*SUMMERS sits on edge of table facing Trumbull*) You don't really believe that, Trumbull. One look at Strickland ought to convince you that he's not a safe-cracker. Of course, I don't know him personally, but I've known him by reputation for a number of years. He's as straight as a die. Ask anyone in the business world.

JUROR FRIEND. Why, of course!

JUROR LEEDS. Everybody knows that!

JUROR TOVELL. Does he look like a burglar?

FOREMAN. (*Rises and stands R.*) I grant you all that, gentlemen; but you can't dodge the facts. There's a chain of circumstances woven around Strickland that, to my mind, would damn the Angel Gabriel. Just consider the facts. Strickland was hard pressed. He paid Trask the ten thousand dollars in cash. Why didn't he pay it by check like a business man? He was the only one besides Trask who knew the combination of the safe. And he was on the spot when the safe was opened. Looks pretty bad, don't you think?

JUROR SUMMERS. (*Up a step*) Of course it looks bad; but it's all been explained. We know why Strickland went there.

JUROR LEEDS. Of course we do.

JUROR FRIEND. Certainly!

JUROR TOVELL. That's all been cleared up! (*Rises*)

FOREMAN. Well, if it's all been explained, as you say it has, there are two things I'd like you to explain to me. (*TOVELL sits*). Firstly, how did the burglar open the safe?

JUROR SUMMERS. He tampered with it. (*Starts L.*)

FOREMAN. No, he didn't. The police officer

testified that the tumblers were in perfect order. No, gentlemen, he opened the safe with the combination. And the only source from which he could learn the combination was Strickland.

JUROR MOORE. It does look pretty bad, I'll admit that.

JUROR ELLIOT. Oh, I don't know!

JUROR LEAVITT. (*Sits on edge of table*) I don't believe in circumstantial evidence!

JUROR MATHEWS. Neither do I.

JUROR TOVELL. You can't convince me that Strickland's a burglar!

FOREMAN. That's not all, gentlemen. There's something else you'll have to explain to my satisfaction before I vote for acquittal.

JUROR SUMMERS. What's that?

FOREMAN. Strickland had that combination on a card. The card was the only really incriminating evidence against him. If he's innocent of the burglary, as you say he is, why did he attempt to destroy the card?

JUROR LEAVITT. Who says he did?

JUROR TOVELL. How do you know he did?

FOREMAN. Why, here's the card! (*MOORE crosses to TRUMBULL*) Don't you see that it's torn almost in two? And didn't Glover testify that it was Strickland who tore it?

JUROR LEAVITT. No!

JUROR ELLIOTT. Yes!

JUROR LEEDS. That's right!

JUROR FRIEND. I don't remember it!

JUROR TOVELL. He did not!

FOREMAN. Well, gentlemen, it seems to me it's rather an important point.

JUROR MOORE. Yes, it is. I'm glad you raised it. I'm inclined to agree with you about it.

FOREMAN. There's only one reason why Strickland should attempt to destroy that card, gentlemen,

and that is to wipe out the evidence that would be bound to convict him.

JUROR SUMMERS. I don't believe he did attempt to destroy the card.

JUROR LEAVITT. Yes, he did!

JUROR LEEDS. No!

JUROR TOVELL. I don't think Glover said so!

JUROR MOORE. Wait a minute, I seem to remember Glover saying so.

JUROR LEEDS. He didn't.

JUROR MATHEWS. I don't know if he did or not.

FOREMAN. We don't seem to agree about it. We ought to find out, I think.

JUROR SUMMERS. Let's send for Glover and ask him. (*Crosses L.*)

JUROR MOORE. We can't do that. We'll have to get permission to have his testimony read to us.

FOREMAN. All right; I'll send a note to the judge. (*Sit, writes.*)

JUROR SUMMERS. Ring for an attendant. (*Drinks at cooler—MOORE pushes buzzer.*)

(*Lights out—Curtain—Effect of Buzzing Call Button During Change.*)

EPILOGUE

(*Buzzer is heard as lights go up in Court Room. The CLERK, the STENOGRAPHER and the two ATTENDANTS talking together. GRAY and DR. MORGAN are sitting on the table. An ATTENDANT hurries to the Jury Room, re-enters a moment later with a note, crosses right, enters Judge's room.*)

GRAY. There's something doing.

DR. MORGAN. (*Sitting on edge of table*) An agreement, do you think?

GRAY. (*Crosses R.*) Most likely.

DR. MORGAN. How long have they been out?

GRAY. (*Crosses L.*) Almost five hours.

DR. MORGAN. Well, what do you think?

GRAY. I don't know what to think, Dr. Morgan.
This is an unusual case.

(ATTENDANT *enters right.*)

ATTENDANT. His Honor is coming, gentlemen.
(*To the other ATTENDANT*) Notify counsel to bring in the prisoner.

(*Second Attendant goes off left—First Attendant opens the door of the Jury Room Crosses up L.*)

FIRST ATTENDANT. All right, gentlemen.

(*DOCTOR goes back of table—Jurors file in, take their places—JUDGE enters right.*)

CLERK. Justice of the Court.

(*Judge takes his place, sits; jurors, etc., sit—(ARBUCKLE, MAY, DORIS and STRICKLAND enter left and sit at table left—STRICKLAND enters first followed by ATTENDANT, then MAY and DORIS—MAY sits upper chair L. of table with DORIS on her lap—ARBUCKLE enters last, stands above table).*)

DINSMORE. (*To GRAY and ARBUCKLE*) Gentleman, I have received a note from the jury, in which they request that a portion of Glover's testimony be read to them. (*To the STENOGRAPHER*) Turn to Glover's testimony, please. Now read that portion which pertains to the tearing of the card. People's exhibit A.

STENOGRAPHER. (*Reading*) Question, by Mr. Gray: "Now, Mr. Glover, I call your attention to the fact that the card is torn almost in half; can you explain how that occurred?" Ans.: "Yes; as I took the card from Strickland's pocket, he snatched it out of my hand and started to tear it in

half; before he had torn it all the way I managed to get it back again." Question:—

(ARBUCKLE Crosses L. and whispers to DOCTOR *then* to GRAY.)

FOREMAN. That's enough. (*He turns to the other jurors, and there begins what is apparently a heated discussion. Meanwhile DR. MORGAN is whispering in an animated fashion to GRAY and ARBUCKLE.*)

DINSMORE. Is that all, gentlemen?

FOREMAN. One moment, if Your Honor pleases. (*Discussion is resumed between FOREMAN and SUMMERS.*)

FOREMAN. Your Honor, the jury would like permission to ask Mr. Strickland a few questions.

DINSMORE. (*To ARBUCKLE and GRAY*) Do you consent to the case being reopened, gentlemen?

GRAY. Yes, Your Honor.

DINSMORE. Mr. Arbuckle—

ARBUCKLE. (*Looks at STRICKLAND—Pause*) Yes, Your Honor.

DINSMORE. Mr. Strickland! (*STRICKLAND rises*) Are you willing to take the stand?

STRICKLAND. Yes, Your Honor. (*Goes to stand*)

CLERK. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you, God? What's your name?

STRICKLAND. Robert Strickland.

FOREMAN. Mr. Strickland, the jury would like to know why you attempted to destroy this card with the combination to the safe on it?

DINSMORE. You need not answer that question unless you want to.

STRICKLAND. (*To the jury*) I didn't attempt to destroy it.

(Sensation in the jury.)

FOREMAN. You mean that you didn't tear the card?

STRICKLAND. I did not.

FOREMAN. Do you know who did?

STRICKLAND. No, sir.

FOREMAN. Did you know the card contained the combination to the safe?

STRICKLAND. Not until I heard it yesterday in court. I saw some figures on the card, but they had no significance to me. I never thought of the card from the time I looked at the address on it until I saw it here in court.

(DOCTOR in pantomime tells ARBUCKLE to let him go on the stand again.)

FOREMAN. Do you mean that you didn't see or feel Mr. Glover take it from your pocket?

STRICKLAND. No, sir, I did not. I was almost blind with pain at that time.

FOREMAN. That's all.

(STRICKLAND steps down. The JURORS whisper excitedly.)

ARBUCKLE. *(Crosses c.)* With Your Honor's permission, I will recall Dr. Morgan.

DINSMORE. Any objection, Mr. Gray?

GRAY. No, Your Honor.

ARBUCKLE. Dr. Morgan.

(DR. MORGAN takes the stand.)

ARBUCKLE. Dr. Morgan, on the night of the shooting, did you examine the defendant?

MORGAN. Yes, sir. When I found that it was

too late to do anything for Mr. Trask, I turned my attention to Mr. Strickland.

ARBUCKLE. In what condition did you find him?

MORGAN. He was lying on his back on the floor in a semi-conscious state, moaning with pain.

ARBUCKLE. Did you examine his arm?

MORGAN. Yes, sir; I examined it very carefully while Mr. Glover and the police officers were testing the safe.

ARBUCKLE. Will you describe the condition of the arm, please.

MORGAN. The arm had been struck a terrific blow with a heavy cane. The blow fell squarely on the wrist, dislocating the wristjoint. Both bones of the forearm—the radius and the ulna—were badly fractured. It was one of the worst fractures I have ever seen.

ARBUCKLE. Now, Dr. Morgan, in your opinion, could the defendant have torn this card, as you see it here, between the time his arm was broken and the time you arrived?

DR. MORGAN. He could not.

ARBUCKLE. You are sure of that?

MORGAN. Yes! The hand was entirely paralyzed. It would have been a physical impossibility, assuming even that his mental state would have permitted it. The bones haven't knit yet. At that time he couldn't have moved the arm or the hand a fraction of an inch.

ARBUCKLE. Thank you. That's all, Dr. Morgan. (MORGAN *steps down—Goes back of table L.*) Do you know where Glover is, Mr. Gray?

GRAY. The last time I saw him he was in my office reading.

ARBUCKLE. (To ATTENDANT) See if you can find Mr. Glover, please. (ATTENDANT *goes off left.* ARBUCKLE *talks to STENOGRAPHER. Tense waiting.* ATTENDANT *returns with GLOVER.* ATTENDANT

crosses R., closes door R.) Will you be good enough to take the stand, Mr. Glover? (*GLOVER takes the stand.*) I'm sorry to trouble you again, but there's one little point upon which we're not quite clear.

GLOVER. I'll be glad to do anything in my power——

ARBUCKLE. Thank you. You remember, Mr. Glover, that while you were waiting for the police to arrive, you happened to think of this card which you thought might help the police.

GLOVER. Yes, and I was right, too.

ARBUCKLE. Indeed you were. Now, Mr. Glover, you will recall that you proceeded to search Mr. Strickland's pockets in the hope of finding the card.

GLOVER. Yes; and I did find it.

ARBUCKLE. Precisely. It was in his coat pocket you found it, I believe?

GLOVER. Yes; side pocket.

ARBUCKLE. (*Down-stage*) Now, if you don't mind, I'd just like to have you describe that scene in detail. Where was Mr. Strickland?

GLOVER. He was on the floor, lying on his back.

ARBUCKLE. And you were standing over him?

GLOVER. Yes.

ARBUCKLE. On which side of him?

GLOVER. The right side.

ARBUCKLE. And as you bent over him and went through his pockets, did he make any attempt to prevent you?

GLOVER. Oh, yes; he tried to push me away.

ARBUCKLE. I see, he kept warding you off like this, huh? (*Indicating with right arm as if pushing someone away*)

GLOVER. Yes.

ARBUCKLE. Finally, however, you succeeded in getting the card?

GLOVER. Yes.

ARBUCKLE. Let's see. It was in the left side pocket of the coat, wasn't it ?

GLOVER. Left? (*Pause*) Yes.

ARBUCKLE. Now as you straightened up you held the card in your right hand, didn't you ?

GLOVER. That's correct.

ARBUCKLE. But before you had a chance to get the card out of reach, Strickland raised himself on his right elbow, and with his left hand snatched the card out of your hand. That's all right so far, isn't it?

GLOVER. Yes.

ARBUCKLE. (*Up-stage*) Now, if I'm wrong in any of these details, I want you to set me right. My memory fails me sometimes.

GLOVER. All right; I'll let you know when you make a mistake.

ARBUCKLE. Thank you, that's very good of you. Now there was something else. I must ask you to be just a little patient with me.

GLOVER. Certainly.

ARBUCKLE. (*Down-stage*) Oh, yes! Strickland snatched the card, then he tore it. Now, how did he tear it ?

GLOVER. How ? What do you mean ?

ARBUCKLE. Well, I mean, did he tear it quickly or slowly or——

GLOVER. Well, rather quickly, because I snatched it out of his hand almost instantly.

ARBUCKLE. Oh! I see. Now let's get that straight. Strickland had the card in his left hand—like this. Right ?

GLOVER. Yes.

ARBUCKLE. And he was supporting himself on his right elbow—like this. Yes?

GLOVER. Yes.

ARBUCKLE. Then he made a quick backward

movement—like this—tearing the card almost in half. That's right, isn't it?

GLOVER. That's right.

ARBUCKLE. I see. And then you snatched the card away from him?

GLOVER. Yes.

ARBUCKLE. And he threatened you, didn't he, as you took the card?

GLOVER. Yes. He swore at me and said he'd fix me.

ARBUCKLE. And if I remember correctly, you said that he made a quick pass for the revolver—like this? Yes?

GLOVER. Yes; but it was out of his reach.

ARBUCKLE. (*Up to witness stand*) That explains it beautifully. You've cleared up the point for us, Mr. Glover. We're greatly indebted to you.

GLOVER. Not at all. Is there anything else!

ARBUCKLE. No, I think that's all. (GLOVER *is about to leave the stand.*) Oh, just one moment.

GLOVER. Certainly.

ARBUCKLE. Mr. Stenographer, will you read the latter part of Dr. Morgan's testimony, to Mr. Glover?

STENOGRAPHER. Question, by Mr. Arbuckle: "Now, Dr. Morgan, in your opinion, could the defendant have torn this card as you see it here, between the time his arm was broken and the time you arrived?" Ans.: "He could not." Question: "You are sure of this?" Ans.: "Yes; the hand was entirely paralyzed. It would have been a physical impossibility, assuming even that his mental state would have permitted it. The bones haven't knit yet. At that time he couldn't have moved the arm or hand a fraction of an inch."

ARBUCKLE. (*To GLOVER*) Glover, what did you do with that ten thousand dollars?

GLOVER. (*Panic-stricken*) What are you talking

about ? What do you mean ? What ten thousand dollars ?

GRAY. (*Rises and goes down L.*) Your Honor, I ask for a warrant for the arrest of this man as an accomplice to the murder of Gerald Trask.

GLOVER. (*Springing to his feet*) No, no, Your Honor, it isn't true ! I didn't kill him ! I took the money, but I didn't kill him ! I'll tell you where the money is, I don't want it. I don't want it ! I'll plead guilty—I'll go to jail, but don't arrest me for the murder. I'll tell you how it happened—I'll tell everything. I didn't know Strickland was coming. I planned the robbery that night. When Trask gave me the money, I put it in the safe, but I didn't lock the safe. I left it open—he didn't notice it. Then I came back to get the money. I didn't know about Strickland—it's God's truth !

Mrs. Trask heard me come in, and I choked her ! But she's all right—she's not hurt. That's not murder ! I got the money, then I saw Strickland come in. I didn't know he was coming. I didn't. I swear I didn't ! I'm innocent ! I'm innocent, I tell you ! I left the room. Then I heard the shot and came in. It was the first I knew of it. I'm innocent, I tell you ! Send me to jail—give me twenty years—I don't care, but don't try me for murder. GRAY (*goes up-stage.*) I tore the card so they'd think Strickland planned the burglary. We weren't working together. Ask him ! He'll tell you we weren't. I didn't know he was coming. Ask him ; he'll tell you. (*He crosses left, hammers on table.*) Strickland, tell them, tell them we weren't working together.

DINSMORE. Remove the man.

(*Two officers seize him and drag him off left.*)

GLOVER. My God, your honor, I didn't kill him,

I took the money, but I didn't kill him. Don't take me away, my God I'm not a murderer, I took the money, etc., etc. (*Until off*)

(ATTENDANT *slams door as the three are off.*)

DINSMORE. You may resume your deliberations, gentlemen.

FOREMAN. Your honor, we have agreed already.

CLERK. Robert Strickland! (STRICKLAND *rises, advances to center.*) Prisoner, look upon the jury; jury, look upon the prisoner. Gentlemen of the jury, have you agreed upon a verdict?

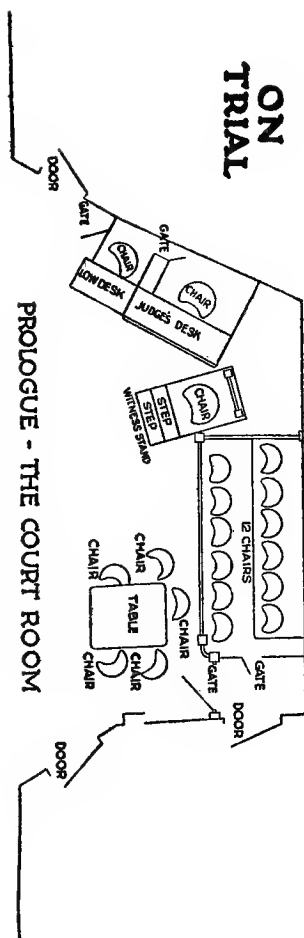
FOREMAN. We have.

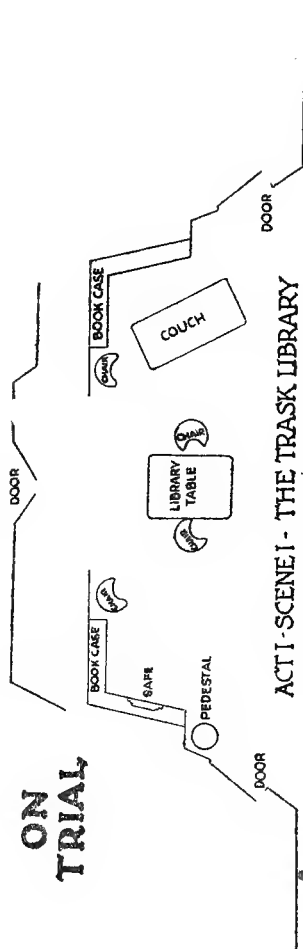
CLERK. And how do you find, gentlemen?

FOREMAN. We find the defendant NOT GUILTY!

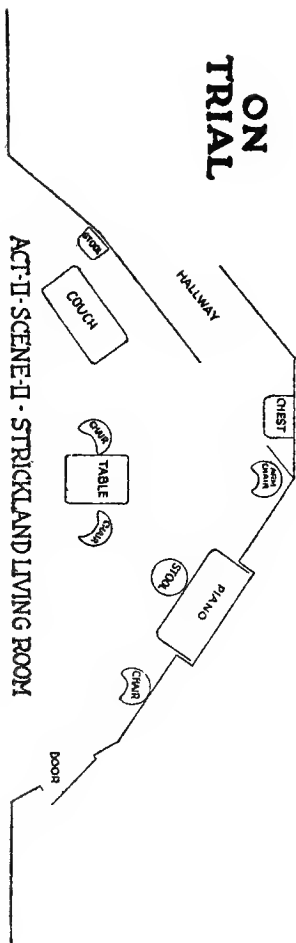
MAY. Robert! (*Falls into his arms*)

Curtain.

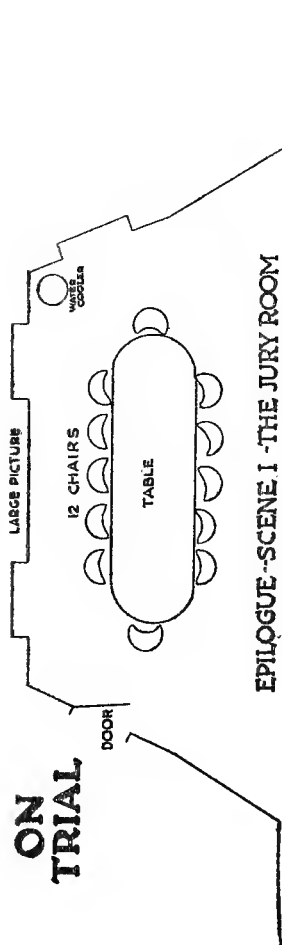




ON TRIAL



ON TRIAL



EPILOGUE--SCENE I -THE JURY ROOM

